

CONFERENCE COMMITTEE REPORTS

Conf. Com. Rep. 1-24 on H.B. No. 1800

The purpose of this measure is to appropriate supplemental funds for the operating costs of the Executive Branch for the fiscal biennium beginning on July 1, 2023, and ending on June 30, 2025.

The biennium budget was enacted in June 2023 as Act 164, Session Laws of Hawaii 2023. A short time later and after the Legislature’s Regular Session of 2023 had adjourned, Lahaina and Upcountry Maui experienced devastating wildfires and burned.

The State’s financial commitment to wildfire recovery has been substantial in both services and supports that may be reimbursable by the Federal Emergency Management Agency. However, the constitutional responsibility and power to appropriate funds rests solely with the Legislature. As such, your Committee on Conference remains resolute in providing for wildfire survivors and maintaining core services and operations statewide in areas like public education, healthcare, and natural resource protection.

Fully determining the State’s exposure to wildfire-related expenses remains an extremely challenging task. This challenge has been compounded by the resolution of hazard pay commitments the State must provide for dedicated public employees who provided continuous critical services during the COVID-19 pandemic.

Additionally, during disasters like the Maui wildfires, the federal government often assists states in mitigating recovery costs. Reimbursements, however, are almost never immediate, and it may take several years for the State to receive these funds.

Communication, coordination, and cooperation among all branches of government will be needed in the coming days, months, and years to develop and implement solutions for survivors. Preserving, maintaining, and enhancing fundamental services are priorities of this budget.

Your Committee on Conference has approved a Conference Draft of the Executive budget that appropriates \$19,023,831,466 in all funds, inclusive of \$10,733,671,097 in general funds, for fiscal year 2023-2024 and \$19,209,528,184 in all funds, inclusive of \$10,395,945,997 in general funds, for fiscal year 2024-2025.

Operating

	Fiscal Year 2023-2024		Fiscal Year 2024-2025	
	All Funds	General Funds	All Funds	General Funds
Executive Budget, Act 164, Session Laws of Hawaii 2023	\$19,026,771,466	\$10,736,611,097	\$18,206,398,573	\$9,896,004,553
Net Change	-\$2,940,000	-\$2,940,000	\$1,003,129,611	\$499,941,444
Total Appropriation	\$19,023,831,466	\$10,733,671,097	\$19,209,528,184	\$10,395,945,997

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1800, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1800, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Dela Cruz, Moriwaki, Aquino, DeCoite, Hashimoto, Inouye, Kanuha, Kidani, Kim, Lee, Shimabukuro, Wakai, and Fevella.

Managers on the part of the Senate.

Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

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. 2-24 on H.B. No. 1911

The purpose of this measure is to appropriate supplemental funds for 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 inserting appropriate operating and capital improvement amounts for fiscal biennium 2023-2025, as well as making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As amended, this budget appropriates:

	FY 2023-2024	FY 2024-2025
General Funds	\$185,148,711	\$197,840,871
All Means of Financing	\$197,865,224	\$210,686,624

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1911, 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. 1911, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Moriwaki, Elefante, and Awa.

Managers on the part of the Senate.

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

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

Conf. Com. Rep. 3-24 on H.B. No. 2058

The purpose of this measure is to:

- (1) Define what constitutes a dangerous dog; and
- (2) Establish requirements and penalties for owners of dangerous dogs.

Your Committee on Conference has amended this measure by:

- (1) Amending the felony offense of negligent failure to control a dangerous dog to include an attack that results in serious bodily injury to a person other than the owner;
- (2) Changing the effective date to July 1, 2024, but delaying the effective date to July 1, 2025, for various provisions related to the designation of dangerous dogs, requirements for owners of dangerous dogs, and impoundment of dangerous dogs; 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. 2058, 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. 2058, 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, 2. Noes, none. Excused, 1 (Awa).

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

Conf. Com. Rep. 4-24 on H.B. No. 2458

The purpose of this measure is to:

- (1) Require the Director of Law Enforcement to investigate alleged violations of the law when directed to do so by the Governor or when the Director determines that an investigation would be in the public interest; and
- (2) Authorize the Director of Law Enforcement to issue subpoenas as part of the investigative powers of the Department of Law Enforcement.

Your Committee on Conference has amended this measure by changing the effective date to 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 H.B. No. 2458, 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. 2458, H.D. 1, S.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, Ganaden, Miyake, Takayama, and Souza.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 5-24 on H.B. No. 1916

The purpose of this measure is to prohibit, upon written request from certain public servants or their representative, any government agency, person, or organization from making certain personal information publicly available on the Internet.

Your Committee on Conference has amended this measure by:

- (1) Clarifying the exception for the disclosure of protected personal information to allow recorded instruments affecting title to real property or property tax records to be provided to, or by, title insurers, underwritten title companies, licensed title insurance producers, or title plant companies; 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. 1916, 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. 1916, 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, Nakashima, Evslin, Tam, and Pierick.
Managers on the part of the House.
Ayes, 4. Noes, 1 (Pierick). Excused, none.

Conf. Com. Rep. 6-24 on H.B. No. 1944

The purpose of this measure is to authorize certain types of radiographical coverage and specialist consultations without a treatment plan within the context of workers' compensation coverage for employees with cervical and lumbar spinal injuries, or suspected cervical and lumbar spinal injuries.

Your Committee on Conference has amended this measure by changing the effective date to 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 H.B. No. 1944, 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. 1944, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 7-24 on H.B. No. 2070

The purpose of this measure is to require cash or protest bonds to be returned to the initiating parties, minus administrative costs as determined by the Office of Administrative Hearings of the Department of Commerce and Consumer Affairs, except in cases where the appeal was frivolous or made in bad faith.

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. 2070, 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. 2070, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Matayoshi, Tarnas, Miyake, Tam, and Alcos.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Tam).

Conf. Com. Rep. 8-24 on H.B. No. 2365

The purpose of this measure is to replace the Director of Law Enforcement with the Director of Corrections and Rehabilitation on the Hawaii Interagency Council for Transit-Oriented Development.

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. 2365, 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. 2365, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 9-24 on H.B. No. 2315

The purpose of this measure is to amend the laws regarding condominium association voting and meetings by:

- (1) Repealing the provisions governing the use of an electronic voting device and references to machine voting at association meetings; and
- (2) Clarifying the procedures for electronic meetings, electronic voting, and mail voting.

Your Committee on Conference has amended this measure by changing the effective date to 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 H.B. No. 2315, 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. 2315, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Richards, Rhoads, Fukunaga, and Fevella.

Managers on the part of the Senate.

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

Representatives Nakashima, Tarnas, Holt, Takayama, Tam, and Pierick.

Managers on the part of the House.

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

Conf. Com. Rep. 10-24 on S.B. No. 2693

The purpose of this measure is to:

- (1) Establish the offense of charitable fraud during a state of emergency; and
- (2) Provide that a person commits charitable fraud during a state of emergency if that person, during a state of emergency proclaimed by the Governor, performs certain deceptive acts or practices in connection with the solicitation of a contribution to assist persons affected by a disaster or emergency.

Your Committee on Conference finds that natural disasters present an opportunity for persons to fraudulently solicit contributions for disaster relief victims during a state of emergency declared by the Governor. Your Committee on Conference believes that this measure will provide the State with avenues to prosecute persons engaging in charitable fraud and theft in the aftermath of an emergency.

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. 2693, 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. 2693, 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, Holt, Takayama, and Souza.

Managers on the part of the House.

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

Conf. Com. Rep. 11-24 on S.B. No. 3037

The purpose of this measure is to allow the prosecution of persons who provide pornographic materials to undercover law enforcement officers who represent themselves as minors for the purposes of undercover operations.

Your Committee on Conference finds that the Hawaii Internet Crimes Against Children Task Force, run by the Department of the Attorney General, in collaboration with various federal and county law enforcement agencies, regularly conducts undercover operations where undercover law enforcement officers pose as minors on the Internet to identify, locate, arrest, and prosecute offenders who solicit minors to engage in sexual activities. However, existing law only allows for prosecution if the pornographic material is sent to an actual minor. This measure will enhance law enforcement's efforts to combat crimes against children by allowing prosecution of those who disseminate pornographic materials to undercover law enforcement officers who pose as minors.

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. 3037, 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. 3037, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Elefante, Gabbard, and Awa.

Managers on the part of the Senate.

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

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

Managers on the part of the House.

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

Conf. Com. Rep. 12-24 on S.B. No. 2845

The purpose of this measure is to prohibit:

- (1) A person from selling ammunition to a person under the age of twenty-one; and
- (2) A person under the age of twenty-one from owning, possessing, or controlling ammunition, with exceptions.

Your Committee on Conference finds that setting a minimum age requirement to purchase, own, or possess ammunition that conforms to the existing minimum age requirement to purchase, own, or possess a firearm in the State will help to ensure the safety of residents and reduce incidents of gun violence in the State. Accordingly, this measure will improve public safety and conform the State's laws regulating ammunition with the State's existing firearm laws.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2845, 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. 2845, 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, Holt, Takayama, and Matsumoto.

Managers on the part of the House.

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

Conf. Com. Rep. 13-24 on S.B. No. 2927

The purpose of this measure is to propose amendments to the Hawaii State Constitution to make the appointment and Senate consent procedure for District Court judges the same as those for Supreme Court justices and Intermediate Court of Appeals and Circuit Court judges.

Your Committee on Conference finds that the existing Senate confirmation process for judicial appointments differs if the appointment is made by the Governor or the Chief Justice. Additionally, due to the Legislature being a part-time legislature, the Senate must convene special sessions throughout the year for the sole purpose of consenting to District Court appointments. This measure will reduce confusion, promote government efficiency, and provide clarity for the judicial appointment process by making the Senate confirmation process for judicial appointments the same, regardless of whether the appointment is made by the Governor or the Chief Justice.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to upon compliance with article XVII, section 3, of the Hawaii State Constitution; 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. 2927, 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. 2927, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Aquino, and Awa.

Managers on the part of the Senate.

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

Representatives Tarnas, Nishimoto, and Souza.

Managers on the part of the House.

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

Conf. Com. Rep. 14-24 on S.B. No. 3034

The purpose of this measure is to explicitly categorize defenses to penal liability based on intoxication that is not self-induced or is pathological as affirmative defenses.

Your Committee on Conference finds that existing law allows criminal defendants to raise intoxication defenses during the trial, which leaves the prosecution at severe disadvantage due to the prosecution lacking sufficient time to investigate these claims. This measure will shift the initial burden of proof regarding these defenses to the defendant, thereby allowing the prosecution to fully vet the legitimacy of the defense and possible lack of supportive evidence while still requiring a defendant be found not guilty, should the prosecution be unable to meet its burden of proof.

Your Committee on Conference has amended this measure by:

- (1) Including a sunset date of July 1, 2034;
- (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. 3034, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3034, 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. 15-24 on S.B. No. 3033

The purpose of this measure is to align the criminal offense of tampering with physical evidence with the wording of the Model Penal Code for tampering with or fabricating physical evidence.

Your Committee on Conference finds that existing law omits several phrases from the corresponding offense in the Model Penal Code that are needed to comprehensively combat physical evidence offenses. Tampering with physical evidence can take many forms beyond what is provided in existing law, and your Committee on Conference believes that the Model Penal Code wording for the corresponding offense encompasses those forms. This measure will increase the probability that evidence will be accurate and credible by increasing the scope of when tampering with physical evidence is an offense and making the fabrication of physical evidence an offense.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3033, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3033, H.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, 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. 16-24 on S.B. No. 2347

The purpose of this measure is to establish the offense of habitual violent crime.

Your Committee on Conference finds that most violent crimes are committed by a small number of repeat offenders. Despite this, many repeat offenders face minimal consequences for their repeated acts of violence. This measure will deter violent crime in local communities while ensuring that repeat offenders are held accountable for their acts of violence.

Your Committee on Conference has amended this measure by:

- (1) Including a sunset date of June 30, 2027;
- (2) Making it effective upon its approval; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2347, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2347, 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, Ilagan, Takayama, and Souza.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 17-24 on S.B. No. 2333

The purpose of this measure is to authorize the Chief Election Officer to use accurate copies of paper ballots, rather than the originals, when conducting a precinct audit of an electronic voting system's tally.

Your Committee on Conference finds that existing law requires the Chief Election Officer, as a condition of using an electronic tally of ballots created by an electronic voting system, to conduct a random audit of the vote counts in ten percent of the precincts where an electronic voting system was used. This measure will improve the efficiency of the required audits by clarifying and updating the conduct of the audits used with modernized voting equipment and technology for elections by mail.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2333, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2333, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 18-24 on S.B. No. 2217

The purpose of this measure is to increase uniformity, efficiency, and effectiveness in the administration and enforcement of the State Ethics Code and lobbyists law by:

- (1) Establishing a phased process for adjusting the reporting period for gift disclosures filed with the State Ethics Commission to conform with the state fiscal year; and
- (2) Providing for the electronic filing of statements required by the State Ethics Commission.

Your Committee on Conference finds that although the state fiscal year begins on July 1, existing law requires legislators and employees to submit a gifts disclosure statement with the State Ethics Commission no later than June 30 of each year, covering a period from June 1 of the preceding calendar year through May 31 of the year of the report. This measure will align the gift reporting requirement with the state fiscal year to promote conformity and efficiency and reduce confusion regarding the administration and enforcement of the State Ethics Code and state lobbyists law.

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

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

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 19-24 on S.B. No. 2197

The purpose of this measure is to amend the definition of "advance gambling activity" to repeal language that included making no effort to prevent the occurrence or continuation of gambling activity.

Your Committee on Conference finds that existing law only requires the owner of a property to make an effort to stop illegal gambling from occurring on the property, which results in many owners taking minimal effort to evict tenants who conduct illegal operations, despite the owners receiving notice from law enforcement that illegal activity is occurring on their property. This measure will improve public safety by holding property owners accountable if they allow illegal gambling establishments to continue to operate on their property.

Your Committee on Conference has amended this measure by:

- (1) Including a sunset date of July 1, 2029; 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. 2197, 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. 2197, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Ganaden, Kong, Takayama, and Souza.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 20-24 on S.B. No. 2193

The purpose of this measure is to amend the offense of use of a computer in the commission of a separate crime to include violation of privacy in the first and second degrees.

Your Committee on Conference finds that including the offenses of violation of privacy in the first and second degrees under the offense of use of a computer in the commission of a separate crime will strengthen penalties against violators for conducting this type of illegal behavior. This measure will strengthen law enforcement's ability to combat these types of computer crimes, provide an additional tool for prosecutors, and serve as a deterrent to prevent these types of crimes from occurring.

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. 2193, 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. 2193, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 21-24 on S.B. No. 2216

The purpose of this measure is to clarify and modernize the way the State Ethics Commission provides advice and conducts investigations.

Your Committee on Conference finds that a key component of a proactive ethical framework is the ability for the State Ethics Commission to provide timely advice. Additionally, your Committee on Conference believes that modernizing the investigative process in statute will help to provide clarity and reduce the potential for misreading the process. This measure will therefore address the need for clarity in the advice-seeking process by providing public officials with a confidential and secure mechanism to request advice and make necessary house-keeping amendments to modernize the investigative process.

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. 2216, 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. 2216, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 22-24 on S.B. No. 3123

The purpose of this measure is to:

- (1) Authorize the Department of Hawaiian Home Lands to access vital records for purposes of verifying Native Hawaiian ancestry for beneficiary programs; and
- (2) Require the Department of Health and the Department of Hawaiian Home Lands to enter into a Memorandum of Agreement to assure appropriate access and handling of confidential records and sealed records that have been unsealed pursuant to court order.

Your Committee on Conference finds that Department of Hawaiian Home Lands staff currently requests genealogical research services for claimants of native Hawaiian beneficiary status on an individual basis. Your Committee on Conference further finds that authorizing the Department of Hawaiian Home Lands staff to work alongside Department of Health staff would greatly accelerate the process. This measure will therefore ease the administrative burden on Department of Hawaiian Home Lands staff conducting genealogical research to determine eligibility for certain programs, including Hawaiian Home Lands homestead leases.

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. 3123, 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. 3123, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Shimabukuro, San Buenaventura, Rhoads, and Fevella.

Managers on the part of the Senate.

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

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

Managers on the part of the House.

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

Conf. Com. Rep. 23-24 on H.B. No. 2478

The purpose of this measure is to authorize the Governor to execute a compact on behalf of the State to cooperate in the Pacific States Marine Fisheries Commission.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that at least one commissioner of the Pacific States Marine Fisheries Commission representing Hawaii must be a practitioner of and expert in traditional and customary native Hawaiian cultural fishing practices and must serve as a representative of such on the Commission;
- (2) Changing the effective date to upon its 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. 2478, 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. 2478, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Gabbard, Elefante, and Fevella.

Managers on the part of the Senate.

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

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

Managers on the part of the House.

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

Conf. Com. Rep. 24-24 on S.B. No. 3154

The purpose of this measure is to clarify that failure to comply with approved mitigation commitments, conduct an archaeological survey, or comply with other administrative requirements pertaining to archaeology approved by the Department of Land and Natural Resources shall result in civil and administrative violations.

Your Committee on Conference finds that stronger enforcement mechanisms are needed to protect cultural and historical sites from irresponsible archaeology and development practices. This measure will allow the State Historic Preservation Division to regulate archaeological activities more effectively by authorizing the State Historic Preservation Division to pursue assessments of administrative violations.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3154, 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. 3154, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Rhoads, Elefante, and Fevella.

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. 25-24 on S.B. No. 3011

The purpose of this measure is to:

- (1) Make it unlawful for any person to operate a weed whacker in or within one hundred feet of a residential zone, subject to certain exceptions;
- (2) Extend the time for the use of leaf blowers and weed whackers within or near residential zones;
- (3) Provide exceptions for government entities and agents acting on behalf of government entities during emergencies; and

(4) Define weed whacker.

Your Committee on Conference finds that weed whackers emit an excessive amount of noise, which is not only a disturbance for residents and communities, but also a public health concern for the State, and has the potential to cause permanent hearing damage. This measure restricts the usage of weed whackers to certain times of the day to alleviate sound nuisances and safeguard public health.

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. 3011, 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. 3011, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Rhoads, and Keohokalole.

Managers on the part of the Senate.

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

Representatives Tarnas, Takayama, and Souza.

Managers on the part of the House.

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

Conf. Com. Rep. 26-24 on S.B. No. 3236

The purpose of this measure is to clarify that if no personal property designation appears in a recorded instrument relating to the Land Trust Act, the interests of the beneficiaries shall be real property.

Your Committee on Conference finds that to fulfil its mission to fully support self-sufficiency for native Hawaiians by providing the opportunity for homestead leases and homeownership, the Department of Hawaiian Home Lands has been creating the opportunity for lower-income native Hawaiians on the Department's waiting list to access Hawaii Housing Finance and Development Corporation funding through the Low-Income Housing Tax Credit program. However, if a "renter" accessing funding this way dies before a fifteen-year compliance period is finished and their intended successor is less than fifty percent native Hawaiian, the unit cannot be transferred to their intended successor and the intended successor receives nothing. This measure will address this problem by clarifying that the beneficiary interest under these types of land trusts are real property, rather than personal property.

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. 3236, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3236, 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, Nishimoto, Holt, Takayama, and Souza.

Managers on the part of the House.

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

Conf. Com. Rep. 27-24 on S.B. No. 2529

The purpose of this measure is to amend the definition of "patient's provider" in State law governing Provider Orders for Life-Sustaining Treatment by removing language that requires the provider to examine the patient.

Your Committee on Conference finds that one of the most important documents for patients with a serious illness is a Provider Orders for Life-Sustaining Treatment (POLST) form, a portable medical order that documents a patient's care plan outside the hospital and specifies the patient's wishes and directions to health care providers regarding the provision of resuscitative and life-sustaining measures. Your Committee on Conference further finds that language in existing law, which can be interpreted as requiring health care providers to meet with the patient face-to-face before signing the POLST, impedes patients from obtaining POLST in a timely manner, thereby exposing the sickest and most vulnerable patients to the risk of receiving unwanted and unnecessary care. This measure will aid patients in creating or updating POLST documentation by removing lengthy and inefficient requirements.

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. 2529, 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. 2529, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Rhoads, and Awa.

Managers on the part of the Senate.

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

Representatives Belatti, Sayama, Tarnas, Takenouchi, and Garcia.

Managers on the part of the House.

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

Conf. Com. Rep. 28-24 on S.B. No. 2960

The purpose of this measure is to:

- (1) Clarify that agricultural lots shall be used for farming by requiring that purchasers and lessees of farm lots submit proof of using the lots to produce food or conduct other agricultural activities; and
- (2) Authorize certain agricultural cooperative associations to apply for farm lots.

Your Committee on Conference finds that wealthy individuals have purchased large parcels of land on which to live and pursue farming as a hobby rather than as a livelihood. The Hawaii State Constitution obligates the State to conserve and protect agricultural lands. This measure will ensure that lessees and purchasers of farm lots and ranch lots use that land primarily for farming and producing food.

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. 2960, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2960, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Gates, Ichiyama, Lamosao, Kahaloa, Poepoe, and Ward.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, 1 (Ward).

Conf. Com. Rep. 29-24 on S.B. No. 2715

The purpose of this measure is to make it unlawful for an employer to discharge, discipline, or otherwise penalize or threaten any adverse employment action against an employee because the employee declines to attend or participate in an employer-sponsored meeting that communicates the opinion of the employer about political matters, or declines to receive or listen to a communication from the employer that communicates the opinion of the employer about political matters.

Your Committee on Conference finds that some employers use “captive audience meetings”, where employee attendance is mandatory or de facto mandatory, to disseminate employer’s political views that have little or no relevance to the workplace or the employees’ work duties and penalize employees who refuse to attend. Your Committee on Conference further finds that participation in these meetings should be voluntary however, protection for employees who refuse to attend is limited under existing law. This measure establishes legal protections for employees who choose not to participate in these meetings.

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. 2715, 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. 2715, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 30-24 on S.B. No. 2718

The purpose of this measure is to allow the Hawaii Labor Relations Board to admit and consider hearsay evidence.

Your Committee of Conference finds that existing law is contradictory with regards to whether the Hawaii Labor Relations Board, a quasi-judicial administrative agency, is permitted to admit and consider hearsay evidence in its proceedings. Specifically, despite there being a myriad of exceptions in the Hawaii Rules of Evidence that allow certain types of hearsay evidence to be admissible in any other court or administrative proceeding under a hearsay exception and the general principle that administrative proceedings are more flexible than judicial proceedings and therefore should not be bound by the Rules of Evidence, existing law explicitly prohibits the Hawaii Labor Relations Board from admitting or considering hearsay evidence in its unfair labor practices proceedings. This measure allows the Hawaii Labor Relations Board to admit and consider hearsay evidence in its unfair labor practices proceedings, placing them in line with proceedings before other administrative boards and commissions.

Your Committee on Conference has amended this measure by:

- (1) Inserting an effective date of July 1, 2024; 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. 2718, 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. 2718, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Aquino, 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. 31-24 on S.B. No. 2119

The purpose of this measure is to authorize out-of-state pharmacies to transfer prescription information for the initial fill of an out-of-state prescription in the State.

Your Committee on Conference finds that it is common for an out-of-state patient to require an acute medication while visiting the State. Your Committee on Conference further finds that because state law does not explicitly permit out-of-state pharmacies to transfer prescription information to in-state pharmacies for dispensing an initial prescription fill, local pharmacists must contact out-of-state practitioners for a verbal order, resulting in workflow redundancy and treatment delays for out-of-state patients. This measure will allow out-of-state patients in the State to receive the initial filling of their prescription medication in a timely manner.

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. 2119, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2119, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Keohokalole, and Awa.

Managers on the part of the Senate.

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

Representatives Sayama, Nakashima, Tam, and Pierick.

Managers on the part of the House.

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

Conf. Com. Rep. 32-24 on S.B. No. 2557

The purpose of this measure is to allow the court to appoint an attorney for the subject of a petition for assisted community treatment, rather than entitling an indigent subject of a petition for assisted community treatment to representation by a public defender.

Your Committee on Conference finds that guardians ad litem act in the best interests of persons who are the subject of a petition for assisted community treatment and protect them throughout the petition process. Your Committee on Conference further finds that representation by a public defender is typically not necessary in these cases due to the person not facing the risk of detention, and representation by a public defender may also result in the person's treatment being delayed. This measure will preserve government resources and ensure that the treatment of a person who requires assisted community treatment does not suffer from unnecessary delays.

Your Committee on Conference respectfully requests that the Judiciary report to the Legislature on the use of appointed counsel in assisted community treatment (ACT) cases, including how often they appoint counsel for the subject of an ACT petition, the reasons for the appointments, when in the process appointments are made, the cost per appointment, and an estimate for future funding to support appointed counsel.

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. 2557, 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. 2557, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Elefante, and Fevella.

Managers on the part of the Senate.

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

Representatives Tarnas, Nishimoto, Holt, Ilagan, and Souza.

Managers on the part of the House.

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

Conf. Com. Rep. 33-24 on S.B. No. 2476

The purpose of this measure is to authorize licensed dental hygienists to perform preventive dental sealant screenings and apply dental sealants on individuals, under certain conditions, in a school-based oral health program.

Your Committee on Conference finds that dental sealants, a protective layer coating the chewing surface of molars, play a significant role in the oral health and development of children by helping to prevent tooth decay. Providing dental sealants through school-based oral health programs will serve as a proactive approach to expand and improve access to oral health care for Hawaii's keiki.

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. 2476, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2476, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Keohokalole, and Hashimoto.

Managers on the part of the Senate.

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

Representatives Woodson, Belatti, Sayama, La Chica, M. Mizuno, and Garcia.

Managers on the part of the House.

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

Conf. Com. Rep. 34-24 on S.B. No. 3365

The purpose of this measure is to:

- (1) Require the Department of Agriculture to certify treatments performed in the State on plant care components; and
- (2) Place certain restrictions on the distribution or transportation of plant care components without prior treatment certification from the Department of Agriculture.

Your Committee on Conference finds that pests and other invasive species can enter and spread throughout the State by infesting plant care components, such as wood chips and filter socks. Your Committee on Conference further finds that properly treating plant care components before they are distributed or transported within and from the State will help prevent the introduction and spread of these invasive species. This measure provides the Department of Agriculture with another method to further protect the agricultural industry and delicate ecosystems of the State from pests and other invasive species.

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. 3365, 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. 3365, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, DeCoite, and Rhoads.

Managers on the part of the Senate.

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

Representatives Gates, Nakashima, Lamosao, Aiu, and Ward.

Managers on the part of the House.

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

Conf. Com. Rep. 35-24 on S.B. No. 2066

The purpose of this measure is to establish another means for a housing project to seek an exemption from certain laws and rules, including those relating to planning, zoning, and construction, that are developed under the various programs of the Hawaii Housing Finance and Development Corporation.

Your Committee on Conference finds that Hawaii is facing a critical housing shortage, particularly for Hawaii residents who are seeking a permanent home for their families, rather than trying to acquire real estate for investment or speculative purposes. Existing regulatory barriers can also slow down the production of the additional housing units that are so urgently needed. Therefore, this measure will allow for an alternative pathway for housing projects to expedite the regulatory process to increase affordable housing units in Hawaii.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the housing projects developed under the alternative pathway shall not impose stricter income requirements than those adopted or established by the State;
- (2) Amending section 1 to reflect its amended purpose; and

- (3) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2066, 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. 2066, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Chang, Elefante, and Kanuha.

Managers on the part of the Senate.

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

Representatives Evslin, Tarnas, Ganaden, Takayama, and Matsumoto.

Managers on the part of the House.

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

Conf. Com. Rep. 36-24 on S.B. No. 2721

The purpose of this measure is to clarify that criminal penalties are authorized for certain violations of ocean recreation laws.

Your Committee on Conference finds that stricter penalties are needed to deter illegal activity at small boat harbors and boating facilities, which are some of the most heavily trafficked facilities in the State. However, the provisions of section 200-14, Hawaii Revised Statutes, are unclear as to whether criminal penalties are authorized for violations, hindering enforcement efforts. This measure will deter illegal activity at small boat harbors by clarifying and imposing stricter penalties.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the Department of Land and Natural Resources may adopt rules relating to boating accidents;
- (2) Restoring language imposing penalties on any individual who violates any provision of chapter 200, Hawaii Revised Statutes, or any rule adopted by the Department of Land and Natural Resources;
- (3) Restoring language that authorizes the Department of Land and Natural Resources to impose administrative fines and penalties for water pollution violations;
- (4) Clarifying that administrative fines shall apply to all violations of chapter 200, chapter 200A, and chapter 200D, Hawaii Revised Statutes;
- (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. 2721, 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. 2721, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Rhoads, Elefante, and Fevella.

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. 37-24 on S.B. No. 795

The purpose 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 of and an opportunity to cure requirements for the Motion Picture, Digital Media, and Film Production Income Tax Credit within thirty days of receiving the notice.

Your Committee on Conference finds 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. Recent amendments to the program, however, could have the effect of disqualifying a production from all available tax credits due to one or a few minor issues with its compliance requirements. 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 provide taxpayers an opportunity to cure compliance issues, should they arise.

Your Committee on Conference has amended this measure by inserting an effective date of January 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. 795, 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. 795, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Holt, Lamosao, Kitagawa, and Pierick.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (Pierick).

Conf. Com. Rep. 38-24 on H.B. No. 2435

The purpose of this measure is to authorize the Director of Health to permit synchronous online access to apply for marriage and civil union licenses in lieu of in-person applications, as specified in rules adopted by the Department of Health.

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. 2435, 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. 2435, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 39-24 on H.B. No. 2482

The purpose of this measure is to:

- (1) Require the Office of the Lieutenant Governor or the appropriate county clerk's office to ensure access to paper or electronic copies of all meeting notices and repeal the requirement to post notices in a central location in a public building; and
- (2) Repeal statutory language providing that cancellation of a meeting is not required for failure of a board to file a copy of the meeting notice with the Office of the Lieutenant Governor or the appropriate county clerk's offices and retain a copy of proof of filing the notice, or failure of the Office of the Lieutenant Governor or county clerk's offices to provide paper or electronic copies of all meeting notices.

Your Committee on Conference has amended this measure by:

- (1) Reverting to a portion of the existing statutory language to prevent the cancellation of a meeting for failure of a board to file a copy of the meeting notice with the Office of the Lieutenant Governor or the appropriate county clerk's offices and retain a copy of proof of filing the notice, or failure of the Office of the Lieutenant Governor or county clerk's offices to ensure access to paper or electronic copies of all meeting notices; 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. 2482, 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. 2482, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Morikawa, Lamosao, and Souza.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (Souza).

Conf. Com. Rep. 40-24 on H.B. No. 2457

The purpose of this measure is to:

- (1) Require the Department of Law Enforcement to pursue and obtain accreditation from the Commission on Accreditation for Law Enforcement Agencies, Inc., for all divisions and sections within the Department of Law Enforcement, not just the sheriff division; and
- (2) Establish Commission on Accreditation for Law Enforcement Agencies, Inc., coordinator positions, exempt from civil service, within the Department of Law Enforcement to ensure the Department meets and maintains the standards and accreditation of the Commission on Accreditation for Law Enforcement Agencies, Inc., and that law enforcement officers of the Department of Law Enforcement meet the standards set by the Law Enforcement Standards Board.

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. 2457, 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. 2457, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 41-24 on H.B. No. 2193

The purpose of this measure is to amend the State's Fireworks Control Law to:

- (1) Authorize officers having police powers and every county fire department officer to enter and inspect the premises of a licensee or permittee for compliance with the Fireworks Control Law, and establish penalties for hindering an officer;
- (2) Establish procedures to authorize the Department of Law Enforcement to conduct administrative inspections of controlled premises;
- (3) Require licensees and permittees who hold, store, transport, sell, possess, or otherwise dispose of fireworks or articles pyrotechnic to keep records and maintain inventories;
- (4) Require licensees and permittees to report to the Director of Law Enforcement and appropriate county fire chief if they have reason to believe that fireworks or articles pyrotechnic were stolen, embezzled, or otherwise obtained by fraud or diversion;
- (5) Authorize law enforcement agencies and county fire departments to safely dispose of confiscated fireworks and articles pyrotechnic;
- (6) Require violators to be held liable for storage and disposal costs;
- (7) Specify that each type of prohibited firework constitutes a separate violation; and
- (8) Authorize the Department of Law Enforcement, in addition to the counties, to enforce the Fireworks Control Law.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to July 1, 2024; 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. 2193, 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. 2193, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Rhoads, Kim, Elefante, and Fevella.
Managers on the part of the Senate.
Ayes, 5. Noes, none. Excused, none.

Representatives Tarnas, Nishimoto, Chun, Ilagan, Takayama, and Souza.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 42-24 on H.B. No. 2399

The purpose of this measure is to exempt an additional administrative assistant position in the Hawaii State Public Library System from civil service.

Your Committee on Conference has amended this measure by:

- (1) Changing its 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. 2399, 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. 2399, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Kim, and Hashimoto.
Managers on the part of the Senate.

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

Representatives Kitagawa, Lamosao, and Alcos.

Managers on the part of the House.

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

Conf. Com. Rep. 43-24 on H.B. No. 1633

The purpose of this measure is to repeal the leasing restriction on owner-builders who obtain an owner-builder exemption to act as their own contractor and who build or improve residential or farm buildings or structures on their own property and do not offer the buildings or structures for sale.

Your Committee on Conference has amended this measure by:

- (1) Reverting to existing statutory language that authorizes lessees to obtain an owner-builder exemption;
- (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. 1633, 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. 1633, H.D. 1, S.D. 1, 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, 2. Noes, none. Excused, 1 (Aquino).

Representatives Evslin, Ichiyama, Tarnas, and Matsumoto.

Managers on the part of the House.

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

Conf. Com. Rep. 44-24 on H.B. No. 2090

The purpose of this measure is to:

- (1) Beginning January 1, 2025, permit residential uses in areas zoned for commercial use, under certain circumstances; and
- (2) Require, no later than January 1, 2025, each county to adopt or amend its ordinances to allow for adaptive reuse of existing commercial buildings in the county's building code.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that multifamily uses are considered residential uses for purposes of this measure;
- (2) Specifying that adaptive reuse of existing commercial buildings shall be allowed until each county adopts or amends its ordinances accordingly;
- (3) Clarifying that the application of each adaptive reuse ordinance, rather than each adaptive reuse building code ordinance, is notwithstanding any law, ordinance, or code or standard to the contrary;
- (4) Clarifying requirements for adaptive reuse ordinances, including:
 - (A) Prohibiting the counties from requiring a micro unit to be larger than minimum standards established in the International Building Code, rather than setting a minimum standard of two hundred square feet; and
 - (B) Providing for an exemption to any off-street parking requirements if the existing off-street parking satisfies at least fifty percent of a county's parking requirements, but specifying that a county is not precluded from exempting an adaptive reuse project from all off-street parking requirements;
- (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. 2090, 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. 2090, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators McKelvey, Inouye, Rhoads, and Fevella.

Managers on the part of the Senate.

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

Representatives Evslin, Ichiyama, Tarnas, Aiu, Miyake, Takayama, and Matsumoto.

Managers on the part of the House.

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

Conf. Com. Rep. 45-24 on H.B. No. 2581

The purpose of this measure is to remove the ability of the Governor or a mayor to suspend electronic media transmission during a state of emergency or local state of emergency, respectively.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2581, 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. 2581, H.D. 1, S.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 Ichiyama, Tarnas, Ganaden, and Souza.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 46-24 on H.B. No. 2475

The purpose of this measure is to, for purposes of regulating commercial activity under the laws regulating ocean recreation:

- (1) Include advertisements and offers within the definition of “commercial activity”; and
- (2) Provide that advertisements and offers of unpermitted commercial ocean use activities or commercial ocean recreational equipment are prima facie evidence that:
 - (A) The owner disseminated or directed dissemination of the advertisements or offers; and
 - (B) The commercial activity is operated at the location advertised or offered.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the violations contemplated by this measure are administrative violations;
- (2) Adding a definition for “administrative violation”;
- (3) Changing its effective to July 1, 2024; 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. 2475, 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. 2475, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 47-24 on H.B. No. 2481

The purpose of this measure is to repeal the Time Share Commissioners of Deeds.

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. 2481, 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. 2481, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 48-24 on H.B. No. 2298

The purpose of this measure is to:

- (1) Make it a violation to use a Hawaii geographic origin in labeling or advertising for roasted coffee, instant coffee, or ready-to-drink coffee beverages that contain less than a certain percentage of coffee by weight from that Hawaii geographic origin, phased in to a minimum of one hundred percent by July 1, 2027; and
- (2) Exempt retailers that do not package roasted coffee, instant coffee, or ready-to-drink coffee beverages from liability for the sale of roasted coffee, instant coffee, or ready-to-drink coffee beverages that use a label or advertisement in violation of the coffee labeling law.

Your Committee on Conference has amended this measure by:

- (1) Deleting the timeline that phased in the minimum percentage of coffee by weight from a Hawaii geographic origin to a minimum of one hundred percent by July 1, 2027;
- (2) Continuing the existing statutory minimum of ten percent of coffee by weight through June 30, 2027, and, beginning July 1, 2027, increasing the minimum percentage to fifty-one percent of coffee by weight when using a Hawaii geographic origin in labeling or advertising for roasted coffee, instant coffee, or ready-to-drink coffee beverages;
- (3) Changing the effective date to July 1, 2024; 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. 2298, 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. 2298, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 49-24 on H.B. No. 2020

The purpose of this measure is to broaden the definition of “renewable energy producer” that is used to determine the Board of Land and Natural Resources’ disposition of public lands to renewable energy producers in order to allow more public lands to be leased for the generation of more types of renewable energy.

Your Committee on Conference has amended this measure by:

- (1) Deleting the requirement that renewable energy producers or developers sell net power produced in order to meet the definition;
- (2) Changing the effective date to July 1, 2024; 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. 2020, 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. 2020, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 50-24 on H.B. No. 2390

The purpose of this measure is to require the Public Utilities Commission to explicitly consider the effect of the State’s reliance on fossil fuels on lifecycle greenhouse gas emissions and give the Commission discretion to waive a lifecycle greenhouse gas emissions assessment for energy projects that do not involve the combustion of fuel.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2390, 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. 2390, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 51-24 on H.B. No. 2354

The purpose of this measure is to clarify that the Small Business Regulatory Review Board has the authority to review legislation affecting small businesses in response to requests from small business owners.

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. 2354, 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. 2354, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Holt, Tarnas, Lamosao, Takayama, and Pierick.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 2 (Lamosao, Pierick).

Conf. Com. Rep. 52-24 on H.B. No. 2369

The purpose of this measure is to increase the maximum interest rate on Community-Based Economic Development loans to ten percent.

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. 2369, 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. 2369, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Holt, Lamosao, Garrett, Kong, and Pierick.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Pierick).

Conf. Com. Rep. 53-24 on H.B. No. 2278

The purpose of the measure is to:

- (1) Expand the labeling requirements for macadamia nuts to labels on a consumer package that represent the origin of the raw or processed macadamia nuts as being from any place within the State, including through the company name or the use of images of the State;
- (2) Require a listing of the countries of origin of the portion of the processed macadamia nuts not grown in Hawaii that are included in the package to also be shown on the label; and
- (3) Establish a private right of action for private persons injured by a violation of the labeling requirements for macadamia nuts.

Your Committee on Conference has amended this measure by:

- (1) Inserting a preamble;
- (2) Deleting language expanding the labeling requirements to labels on a consumer package that represent the origin of the raw or processed macadamia nuts as being from any place within the State, including through the company name or the use of images of the State;
- (3) Repealing statutory language requiring the disclosure of the percentage of macadamia nuts grown in the State if a label contains language that a portion of raw or processed macadamia nuts in the package was grown in the State;
- (4) Requiring a disclosure statement if a product contains raw or processed macadamia nuts grown outside of the State;
- (5) Deleting language establishing a private right of action;
- (6) Exempting products that contain any other ingredient, except seasonings and flavorings, in addition to macadamia nuts from the labeling requirements;

- (7) Changing the effective date to January 1, 2026; 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. 2278, H.D. 2, S.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2278, H.D. 2, S.D. 3, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Richards, Keohokalole, Rhoads, DeCoite, and Awa.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, 1 (Awa).

Representatives Gates, Nakashima, Kahaloa, Miyake, Nishimoto, and Pierick.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 54-24 on H.B. No. 2144

The purpose of this measure is to require the Department of Health to amend the definition of “homemade food products” in its administrative rules and adopt certain rules regarding the sale and delivery of homemade food products.

Your Committee on Conference has amended this measure by:

- (1) Changing the maximum pH level of certain foods under the definition of “homemade food products” from 4.6 to 4.2;
- (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. 2144, 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. 2144, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Keohokalole, and Kanuha.
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, 3. Noes, none. Excused, 1 (Nakashima).

Conf. Com. Rep. 55-24 on H.B. No. 2553

The purpose of this measure is to:

- (1) Authorize licensed pharmacists to administer vaccines to persons three years of age or older;
- (2) Authorize pharmacy interns and pharmacy technicians under the direct supervision of a licensed pharmacist to administer vaccines to persons three years of age or older, if certain requirements are met; and
- (3) Authorize licensed pharmacists to order the administration of vaccines for persons three years of age or older.

Your Committee on Conference has amended this measure by:

- (1) Clarifying mandatory training and continuing education requirements for pharmacy technicians;
- (2) Clarifying the requirements for proof of completion of required training by pharmacy interns and pharmacy technicians;
- (3) Changing the effective date to January 1, 2025; 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. 2553, 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. 2553, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Takenouchi, Nakashima, Tarnas, Amato, Sayama, and Souza.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 56-24 on H.B. No. 2359

The purpose of this measure is to establish the Digital Equity Grant Program to award grants to deploy digital equity projects to covered populations in the State.

Your Committee has amended this measure by:

- (1) Expanding the types of projects that may be eligible for grants to include broadband service subscription costs, wifi routers, and access points; 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. 2359, 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. 2359, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators DeCoite, Aquino, Rhoads, and Fevella.

Managers on the part of the Senate.

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

Representatives Todd, Nakashima, Takenouchi, Morikawa, and Garcia.

Managers on the part of the House.

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

Conf. Com. Rep. 57-24 on H.B. No. 1577

The purpose of this measure is to:

- (1) Authorize tow operators to charge an additional amount for overturned vehicles; and
- (2) Prohibit tow companies from directing an individual to use an on-site automated teller machine in lieu of accepting payment by credit card and debit card.

Your Committee has amended this measure by:

- (1) Increasing the maximum amount tow operators may charge for a tow to \$75 and a tow using a dolly to \$85;
- (2) Authorizing tow operators to charge a towing surcharge of no more than \$35 if the tow involves an overturned vehicle; and
- (3) Changing the effective date to 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 H.B. No. 1577, 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. 1577, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Keohokalole, and Fevella.

Managers on the part of the Senate.

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

Representatives Todd, Nakashima, Kila, Onishi, and Matsumoto.

Managers on the part of the House.

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

Conf. Com. Rep. 58-24 on S.B. No. 2687

The purpose of this measure is to:

- (1) Prohibit a person from distributing, or entering into an agreement with another person to distribute, materially deceptive media during certain months of election years, with exceptions;
- (2) Establish criminal penalties for distributing materially deceptive media; and
- (3) Establish remedies for parties injured by the distribution of materially deceptive media.

Your Committee on Conference finds that the potential for deceptive media to be used during election years to manipulate public opinion, spread misinformation, and undermine the foundation of the State's democracy is cause for grave concern. Your Committee on Conference believes that preserving the authenticity of political discourse is essential to a fair and informed electorate. This measure will ensure that the State's elections remain free from the harmful influence of deceptive media.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that, subject to certain exceptions, a person is prohibited from recklessly distributing, or entering into an agreement with another person to distribute, materially deceptive media;
- (2) Clarifying that the exceptions to the prohibition against the distribution of, or entering into an agreement with another person to distribute, materially deceptive media apply to:

- (A) A broadcaster, cable operator, or direct-to-home satellite provider unless it was involved in the creation of the materially deceptive media; or
- (B) An interactive computer service, cloud service provider, or streaming service for content provided by another person or a developer or provider of any technology used in the creation of materially deceptive media, unless the interactive computer service, cloud service provider, or streaming service has knowledge that the content is deceptive and intends to deceive a resident of the State;
- (3) Defining the terms “cloud service provider”, “direct-to-home satellite provider”, and “interactive computer service”;
- (4) Amending section 1 to reflect its amended purpose;
- (5) Making it effective upon its approval; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2687, 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. 2687, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Onishi, La Chica, Miyake, and Souza.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 59-24 on S.B. No. 3192

The purpose of this measure is to make permanent the Innovation and Commercialization Initiative Program established within the University of Hawaii.

Your Committee on Conference finds that the commercialization of viable research activities conducted at the University of Hawaii plays a critical role in the diversification of the State’s economy. This measure continues critical support for research activities at the University of Hawaii to remain competitive as a leader in economic development and workforce innovation.

Your Committee on Conference has amended this measure by inserting an effective date of June 29, 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. 3192, 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. 3192, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Perruso, Morikawa, Chun, Kapela, Kila, and Garcia.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 60-24 on S.B. No. 3191

The purpose of this measure is to permanently authorize the University of Hawaii to continue to regulate conflicts of interest and other ethical issues for technology transfer activities sponsored by the University of Hawaii.

Your Committee on Conference finds that Act 38, Session Laws of Hawaii 2017, established that technology transfer activities sponsored by the University of Hawaii shall be exempt from certain requirements of the State Ethics Code. This exemption is scheduled to repeal on June 20, 2024. The University of Hawaii has adopted policies and procedures to ensure compliance with ethical standards and to avoid conflicts of interest. Accordingly, this measure allows the University of Hawaii to continue to serve as a leader in innovation and economic development by permanently authorizing the University of Hawaii to continue to operate technology transfer activities under its existing requirements.

Your Committee on Conference has amended this measure by inserting an effective date of June 29, 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. 3191, 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. 3191, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Perruso, Tarnas, Morikawa, Kapela, and Garcia.

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

Conf. Com. Rep. 61-24 on S.B. No. 2182

The purpose of this measure is to:

- (1) Amend the persons required to collect the Ocean Stewardship User Fee; and
- (2) Extend the sunset date of the Ocean Stewardship Special Fund to January 1, 2031.

Your Committee on Conference finds that the Ocean Stewardship User Fund provides the Department of Land and Natural Resources with moneys to conserve, restore, enhance, and manage ocean resources for the benefit of residents, visitors, and local businesses. This measure will extend the sunset date of the Ocean Stewardship Special Fund to ensure that the Department of Land and Natural Resources continues to protect and preserve the State's nearshore environment.

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. 2182, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2182, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 62-24 on S.B. No. 2532

The purpose of this measure is to:

- (1) Clarify that the definition of "dwelling", as it relates to offenses against property rights, includes multi-unit buildings and connected parking or storage areas that are restricted to residents; and
- (2) Allow the owner of a multi-unit building, an owner of an individual unit, a property manager, or an authorized representative of the condominium association to act as a complainant for the purpose of investigating and prosecuting an offense of burglary in the first degree in a multi-unit building.

Your Committee on Conference finds that certain individuals, who are neither residents nor guests of a multi-unit dwelling, have increasingly burglarized the secured areas of multi-unit dwellings, which include secured parking and storage areas. However, the investigation and prosecution of these crimes can be complicated due to the limited definition of "dwelling" under the existing law. Therefore, this measure clarifies that the areas in multi-unit buildings that are restricted to residents, such as parking and storage areas within apartment buildings and condominiums, are part of the overall dwelling to ensure that theft in these areas are properly investigated and prosecuted as burglaries.

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. 2532, 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. 2532, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Rhoads, McKelvey, and Fevella.
Managers on the part of the Senate.
Ayes, 4. 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. 63-24 on S.B. No. 2834

The purpose of this measure is to amend the Residential Landlord-Tenant Code to provide for a process to dispose of the tenant's personal property and surrender the dwelling unit to a landlord when there is a death of a tenant.

Your Committee on Conference finds that, under existing law, there is no explicit guidance for a landlord on how to retake possession of a dwelling unit in the event of a tenant's death. Consequently, landlords have been required to navigate, using their best judgment, the delicate and complex process of reconciling any unpaid rent, handling questions concerning the status of the security deposit, and disposing of the deceased tenant's personal property and belongings from the premises. Your Committee on Conference finds that by establishing a formal statutory process for landlords to resolve matters involving a deceased tenant or tenants, this measure will provide for a more orderly transition and improve outcomes for all parties involved.

Your Committee on Conference has amended this measure by inserting an effective date of November 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. 2834, 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. 2834, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, McKelvey, Hashimoto, and Fevella.

Managers on the part of the Senate.

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

Representatives Nakashima, Tarnas, Aiu, Tam, and Pierick.

Managers on the part of the House.

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

Conf. Com. Rep. 64-24 on S.B. No. 2600

The purpose of this measure is to authorize the use of electronic mail to deliver certain documents when purchasing a condominium.

Your Committee on Conference finds that electronic mail is a fast, convenient, and reliable method of sending and receiving documents, including documents relating to a condominium purchase. However, under existing law, certain disclosure documents required to be provided by condominium project developers to prospective purchasers must be delivered by either personal delivery, registered or certified mail, facsimile transmission, or any other way prescribed by the Real Estate Commission. Therefore, this measure modernizes existing law and provides purchasers with an efficient digital means to receive, keep, and access their condominium documents.

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. 2600, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2600, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Richards, Fukunaga, and Awa.

Managers on the part of the Senate.

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

Representatives Sayama, Kitagawa, Tam, and Pierick.

Managers on the part of the House.

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

Conf. Com. Rep. 65-24 on S.B. No. 2575

The purpose of this measure is to prohibit the:

- (1) Mining, extraction, and removal of minerals from the seabed in all state marine waters, with certain exemptions; and
- (2) 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 on Conference finds that seabed mining and related activities threaten not only the State's rich and biodiverse marine ecosystems, but also ocean-dependent industries, such as commercial and recreational fishing and tourism. Your Committee on Conference therefore finds that seabed mining is inconsistent with the State's obligation to protect its waters under the Hawaii State Constitution and the public interest. This measure ensures the protection and preservation of state marine waters by prohibiting seabed mining and the extraction and removal of minerals from the seabeds in all state marine waters.

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. 2575, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2575, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Inouye, and Rhoads.

Managers on the part of the Senate.

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

Representatives Lowen, Ichiyama, Poepoe, Cochran, and Ward.

Managers on the part of the House.

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

Conf. Com. Rep. 66-24 on S.B. No. 2657

The purpose of this measure is to amend the date of Makahiki Commemoration Day.

Your Committee on Conference finds that Makahiki season is the ancient Hawaiian New Year festival that honors the god Lono. As Makahiki season spans four consecutive months, designating a specific date in the Gregorian calendar should align with one of the kapu Hua days of Mōhala, Hua, or Akua of the lunar month of 'Ikuā. Therefore, this measure aligns the commemoration of Makahiki based on the traditional Hawaiian lunar calendar.

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. 2657, 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. 2657, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 67-24 on S.B. No. 2819

The purpose of this measure is to require vehicles traveling ten miles per hour or more below the posted speed limit on a two-lane highway, behind which five vehicles are formed in a line, to pull over where possible to let the trailing vehicles proceed when passing is safe.

Your Committee on Conference finds that traffic safety and congestion has been a key frustration for residents in the State. Your Committee on Conference believes that this measure will prevent collisions, improve operational efficiency, and minimize road rage statewide by requiring slow-moving vehicles to safely pull over to allow vehicles to pass safely.

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. 2819, 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. 2819, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 68-24 on S.B. No. 2350

The purpose of this measure is to:

- (1) Establish a separate prohibition on driving motor vehicles with noisy mufflers on public highways in high density population areas;
- (2) Establish separate fines for violations of motor scooter and motor vehicle muffler laws; and
- (3) Define "high density population areas".

Your Committee on Conference finds that while existing law prohibits vehicle owners from installing mufflers that increase the noise of their vehicle, the penalties are too minimal to deter violations. Your Committee on Conference further finds that establishing more stringent laws regarding motor vehicle and motor scooter mufflers will reduce noise, improve public health and safety, and allow residents and visitors in the State to enjoy peace and a higher quality of life.

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. 2350, 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. 2350, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Todd, Tam, Nakashima, Onishi, and Matsumoto.

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

Conf. Com. Rep. 69-24 on S.B. No. 3312

The purpose of this measure is to:

- (1) Adopt, establish, and designate the shaka as the official gesture of the State; and
- (2) Authorize the State Foundation on Culture and the Arts to develop a public work of art related to the shaka and its history to be displayed in a prominent location in the State.

Your Committee on Conference finds that the shaka is a key brand symbol for the State, offering influential power to build the State's economy, global brand, and resident pride. Accordingly, this measure will recognize the shaka symbol as the official gesture of 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. 3312, 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. 3312, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 70-24 on S.B. No. 2753

The purpose of this measure is to:

- (1) Clarify that no state or county building code shall prohibit the use of a substitute refrigerant allowed by the United States Environmental Protection Agency if the applicable equipment is listed and installed in compliance with the latest safety standards; and
- (2) Require the State Building Code Council to establish codes and standards that are consistent with the goal of reducing greenhouse gas emissions associated with hydrofluorocarbons and not in conflict with federal law when it adopts, amends, or updates the Hawaii State Building Codes.

Your Committee on Conference finds that the American Innovation and Manufacturing Act of 2020 mandates an eighty-five percent phasedown in hydrofluorocarbon refrigerants nationwide. Your Committee on Conference further finds that updates to the State Building Code are necessary to avoid marketplace disruptions as manufacturers transition to hydrofluorocarbon substitutes. This measure ensures federal compliance under the State Building Code.

Your Committee on Conference also finds that requiring the State Building Code Council, when it adopts, amends, or updates the Hawaii State Building Codes, to establish codes and standards that are consistent with the goal of reducing greenhouse gas emissions associated with hydrofluorocarbons and not in conflict with federal law could create problems insofar as it would require the counties to apply standards which have not yet been adopted by the International Building Code. Realizing the importance of this measure and the two thousand jobs that could be lost if this measure does not pass, your Committee on Conference has chosen to delete this language from this measure despite its noble goals. Your Committee on Conference encourages the counties, who can establish codes and standards that are consistent with the goal of reducing greenhouse gas emissions associated with hydrofluorocarbons and not in conflict with federal law, to pursue this at the county level.

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

- (1) Deleting language that would have required the State Building Code Council to establish codes and standards that are consistent with the goal of reducing greenhouse gas emissions associated with hydrofluorocarbons and not in conflict with federal law when it adopts, amends, or updates the Hawaii State Building Codes;
- (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. 2753, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2753, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators McKelvey, Gabbard, Rhoads, Elefante, and Awa.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, 1 (Awa).

Representatives Ichiyama, Lowen, Nakashima, M. Mizuno, and Ward.
Managers on the part of the House.

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

Conf. Com. Rep. 71-24 on S.B. No. 2512

The purpose of this measure is to establish notice and reporting requirements for the expenditure or use of public resources by the Governor, pursuant to the Governor's emergency powers.

Your Committee on Conference finds that, in the event of a declared disaster, it is necessary for the Governor to assume certain emergency powers. Your Committee on Conference believes that this measure will ensure the transparency of the Governor's actions during a declared disaster.

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. 2512, 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. 2512, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Ichiyama, Tarnas, Poepoe, Garrett, Miyake, and Souza.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, 1 (Miyake).

Conf. Com. Rep. 72-24 on S.B. No. 2132

The purpose of this measure is to:

- (1) Amend the deadline related to the repair of conditions that constitute health or safety violations; and
- (2) Increase the amount deducted from a tenant's rent for the tenant's actual expenditures to correct health or safety violations and defective conditions.

Your Committee on Conference finds that when a landlord fails to commence repairs after receiving notice of certain health or safety violations or defective conditions on the leased premises, existing law authorizes the tenant to deduct from their rent not more than \$500 as reimbursement for any actual expenditures made to cure the condition. However, this amount is often far below the actual costs and expenses required to cure the condition, forcing tenants, rather than landlords, to pay out of their own pockets to return the property to a habitable condition, which the landlord is required to provide. Your Committee on Conference finds that by increasing the amount that may be deducted from the tenant's rent to not more than \$1,000 or one month's rent, whichever is greater, this measure will encourage the prompt maintenance of the property by landlords and safeguard the well-being of tenants.

Your Committee on Conference has amended this measure by:

- (1) Inserting an effective date of November 1, 2024; 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. 2132, 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. 2132, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Richards, Hashimoto, and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Nakashima, Tarnas, Lamosao, Takayama, Tam, and Souza.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 73-24 on S.B. No. 2342

The purpose of this measure is to:

- (1) Amend the penalties for violations of certain traffic laws and required motor vehicle insurance minimums;
- (2) Establish primary and optional coverage requirements for U-drive motor vehicle insurance policies;
- (3) Establish disclosure requirements for U-drive motor vehicle insurance policies;
- (4) Amend the required coverage for shared cars that are made available through a peer-to-peer car-sharing program during the car-sharing period; and
- (5) Require the Insurance Commissioner to solicit rate filings from motor vehicle insurers.

Your Committee on Conference finds that traffic fatalities, injuries, and violations committed by repeat offenders have increased in the State. This measure amends the penalties for repeated driving without motor vehicle liability insurance to deter repeat offenders and increases required motor vehicle insurance minimums to provide greater coverage to drivers.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have amended penalties for repeated traffic violations, reckless driving violations, and excessive speeding violations;
- (2) Increasing penalties for repeatedly driving without motor vehicle liability insurance to \$2,000;
- (3) Clarifying required motor vehicle policy coverage minimums, effective January 1, 2026;
- (4) Deleting all language regarding U-drive motor vehicle insurance policies;
- (5) Deleting language that would have amended the required coverage for shared cars that are made available through a peer-to-peer car-sharing program during the car-sharing period;
- (6) Clarifying the required coverage for shared cars that are made available through a peer-to-peer car-sharing program during the car-sharing period;
- (7) Making conforming amendments;
- (8) Amending section 1 to reflect its amended purpose;
- (9) Inserting an effective date of July 1, 2024; 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. 2342, 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. 2342, S.D. 2, H.D. 3, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 74-24 on S.B. No. 3157

The purpose of this measure is to expand the disposition of public land leases through direct negotiation to include commercial and industrial purposes.

Your Committee on Conference finds that the public auction process used for the disposition of public lands discourages potential lessees. Consequently, properties have remained vacant, generating no income and serving no public benefit, while in some cases incurring significant management costs for the Department of Land and Natural Resources. This measure will facilitate the productive use of public lands by authorizing the disposition of public land leases through direct negotiation for commercial and industrial purposes.

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. 3157, 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. 3157, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 75-24 on S.B. No. 2731

The purpose of this measure is to authorize the issuance of special number plates to honor veterans of the Iraq and Afghanistan wars.

Your Committee on Conference finds that while special number plates are available for combat veterans of certain wars and conflicts, veterans of the wars in Iraq and Afghanistan are not included. Therefore, this measure will create license plates to honor the veterans of the Iraq and Afghanistan conflicts.

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. 2731, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2731, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Lee, Shimabukuro, Elefante, and Fevella.

Managers on the part of the Senate.

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

Representatives Tam, Hashem, Chun, Martinez, and Alcos.

Managers on the part of the House.

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

Conf. Com. Rep. 76-24 on S.B. No. 2983

The purpose of this measure is to:

- (1) Beginning January 1, 2026, authorize the Department of the Attorney General to regulate charitable fundraising platforms and platform charities;
- (2) Include provisions relating to the misuse of funds; and
- (3) Impose vicarious liability upon a platform charity for a charitable fundraising platform's misuse of funds, and vice versa.

Your Committee on Conference finds that the State needs to improve and expand enforcement of charitable fundraising activities, including regulating charitable fundraising on internet platforms. This measure will ensure the prevention of fraudulent and predatory charitable fundraising behavior.

Your Committee on Conference has amended this measure by:

- (1) Inserting language that requires charitable fundraising platforms and platform charities to be subject to filing an annual report and annual renewal fees;
- (2) Deleting language that would have exempted a charitable fundraising platform or platform charity from certain restrictions on distributing funds if certain agencies do not publish an electronic list of recipient charitable organizations or other charitable organizations in good standing;
- (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 managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2983, 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. 2983, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Keohokalole, Rhoads, and Elefante.

Managers on the part of the Senate.

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

Representatives Tarnas, Nishimoto, Morikawa, Takayama, and Souza.

Managers on the part of the House.

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

Conf. Com. Rep. 77-24 on S.B. No. 2504

The purpose of this measure is to:

- (1) Repeal part II of Act 66, Session Laws of Hawaii 2023, which requires 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 related aspects of the State's hydrogen energy industry; and
- (2) Repeal the appropriation to develop the Hawaii Pacific Hydrogen Hub.

Your Committee on Conference finds that part II of Act 66, Session Laws of Hawaii 2023, was enacted to support the State's pursuit of federal funding for the development of a Hawaii Pacific Hydrogen Hub. Your Committee on Conference further finds that although the Hawaii Pacific Hydrogen Hub proposal was not selected, the Hawaii State Energy Office has gained considerable knowledge that could accelerate the future development of green hydrogen use in the State and that two projects included in the proposal are still moving forward. As the State's proposal was not selected, this housekeeping measure repeals part II of Act 66, Session Laws of Hawaii 2023, and the appropriation to develop the Hawaii Pacific Hydrogen Hub, as they are no longer necessary.

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. 2504, 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. 2504, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Lowen, Perruso, Yamashita, Garrett, Lamosao, and Ward.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, 1 (Ward).

Conf. Com. Rep. 78-24 on S.B. No. 2289

The purpose of this measure is to require the Department of Health to include in its annual report regarding Kalaupapa Settlement:

- (1) Details and updated information, as available, regarding the permanent transfer of the powers and duties of the Department and any other state agencies over Kalaupapa Settlement to other qualified governmental or qualified nongovernmental entities; and
- (2) Details of the Department's engagement efforts with community stakeholders.

Your Committee on Conference finds that Kalaupapa, within Kalawao County on the island of Molokai, holds great significance in the State's history, and that under existing law, Kalaupapa Settlement is under the jurisdiction and control of the Department of Health. Your Committee on Conference further finds that as the number of patients residing in Kalaupapa declines and the Department of Health prepares for the eventual transfer of jurisdiction over Kalawao County to another government agency, it is imperative for the Legislature to remain informed and updated regarding plans for the future transfer. This measure will keep the Legislature informed of this important transition by including details and updated information regarding the permanent transfer of Kalaupapa Settlement in the Department of Health's annual report to the Legislature.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have required the immediate addition of certain community organizations to the executive transition team;
- (2) Making it effective upon its approval and inserting a sunset date of the first June 30 after the Revisor of Statutes receives a written gubernatorial proclamation that the transfer of all of the powers and duties of the Department of Health over Kalaupapa Settlement is complete; 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. 2289, 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. 2289, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Poepoe, Tarnas, Chun, Ichiyama, and Souza.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 2 (Tarnas, Souza).

Conf. Com. Rep. 79-24 on S.B. No. 2537

The purpose of this measure is to clarify that the Chief Energy Officer is responsible for supporting the renewable portfolio standards and reporting on certain energy matters.

Your Committee on Conference finds that the purpose of Act 122, Session Laws of Hawaii 2019 (Act 122), was to transfer the duties and responsibilities of the State Energy Resources Coordinator, the functions of the Renewable Energy Facilitator, and the then existing State Energy Office to the newly established Hawaii State Energy Office and Chief Energy Officer. Your Committee on Conference further finds that Act 122 did not make conforming amendments to certain sections of existing laws pertaining to the reporting of certain energy matters to the Legislature. Accordingly, this measure clarifies these reporting requirements.

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. 2537, 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. 2537, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Lowen, Cochran, Garrett, Kila, and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Ward).

Conf. Com. Rep. 80-24 on S.B. No. 2133

The purpose of this measure is to:

- (1) Authorize the Hawaii Housing Finance and Development Corporation to issue bonds for housing project infrastructure and finance the development of regional state infrastructure projects;
- (2) Exempt bonds issued by the Hawaii Housing Finance and Development Corporation for improvements by assessments, and the interest thereon, from certain taxes, with exceptions;
- (3) Include proceeds from bonds issued for regional state infrastructure projects as a source of revenue for regional state infrastructure subaccounts; and
- (4) Authorize regional state infrastructure subaccount revenues to be used to repay regional state infrastructure project bond holders.

Your Committee on Conference finds that the development of additional housing inventory often requires updates to aging infrastructure needed to accommodate the new units. The cost of updating infrastructure presents a major barrier to the development of housing projects, with the cost often falling on the shoulders of the developers, which ultimately leads to the costs being passed down to the project's residents. Therefore, this measure will facilitate the development of infrastructure required to support new housing projects urgently needed across the State.

Your Committee on Conference has amended this measure by:

- (1) Inserting language to amend section 201H-191.5(d), Hawaii Revised Statutes, to specify that the cost of providing regional infrastructure improvements may be assessed against housing and mixed-use transit-oriented development projects specially benefiting from the improvements;
- (2) Inserting an effective date of July 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. 2133, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2133, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Chang, Hashimoto, and Kanuha.

Managers on the part of the Senate.

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

Representatives Evslin, Aiu, Kitagawa, and Matsumoto.

Managers on the part of the House.

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

Conf. Com. Rep. 81-24 on S.B. No. 1258

The purpose of this measure is to require the Department of Land and Natural Resources to develop and implement an improved management system for the Kaena Point State Park, Makua and Keawaula sections.

Your Committee on Conference finds that the Makua and Keawaula sections of the Kaena Point State Park are exceptionally valuable to the Native Hawaiian community and are of cultural and historical significance. However, due to irresponsible recreational uses and the accumulation of waste, the Makua and Keawaula sections were closed to overnight access. This measure will ensure that the Makua and Keawaula sections are reopened with an improved management system that encompasses Hawaiian management values in balancing public use with the preservation of aina, wildlife, and cultural resources.

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. 1258, 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. 1258, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Shimabukuro, Elefante, and Fevella.

Managers on the part of the Senate.

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

Representatives Ichiyama, Kila, Poepoe, and Souza.

Managers on the part of the House.

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

Conf. Com. Rep. 82-24 on S.B. No. 2974

The purpose of this measure is to:

- (1) Establish a Business Revitalization Task Force within the Department of Business, Economic Development, and Tourism to identify methods to improve Hawaii's general economic competitiveness and business climate, including the mitigation of regulatory and tax burdens; and
- (2) Require the Business Revitalization Task Force to submit a report to the Legislature.

Your Committee on Conference finds that the State ranks below other states in new business formations, early survival rates for startups, self-employment, and business climate. This measure establishes a task force to collaboratively and comprehensively collect ideas from stakeholders to promote economic growth in the State and propose solutions to improve the State's business economy.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the Chair of the House of Representatives Standing Committee with primary jurisdiction over economic development and the Chair of the Senate Standing Committee with primary jurisdiction over economic development may invite one representative from certain industries to serve as members of the task force, including one representative from the Chamber of Commerce Hawaii;
- (2) Deleting language that would have allowed certain task force members to be reimbursed for expenses, including travel expenses;
- (3) Inserting an effective date of July 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. 2974, 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. 2974, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Holt, Lamosao, Kong, La Chica, and Pierick.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Kong).

Conf. Com. Rep. 83-24 on S.B. No. 2919

The purpose of this measure is to:

- (1) Clarify the counties' authority to regulate the time, place, manner, and duration in which uses of land and structures may take place;
- (2) Allow counties to enact zoning ordinances to amortize or phase out transient vacation rental units in an area of any zoning classification; and
- (3) Beginning January 1, 2025, expand the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations.

Your Committee on Conference finds that despite attempts made by certain counties to regulate short-term transient accommodations and enact ordinances pursuant to their home rule authority relating to zoning, transient accommodations in residential-zoned neighborhoods have been permitted to continue due to judicial opinions that have interpreted their status as a legal, nonconforming use that has been grandfathered in by statute. Therefore, this measure reinstates and supports the home rule authority that was intended for the counties relating to zoning by authorizing the counties to phase out or amortize transient accommodation uses by zoning ordinance.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have prohibited time, place, manner, or durational zoning regulations from being deemed to create different types of land uses or structures;
- (2) Deleting language that would have authorized transient vacation rental units to be amortized or phased out in an area of any zoning classification and inserting language clarifying that uses that include the furnishing or offering of transient accommodations shall not be considered residential uses or agricultural uses and may be phased out or amortized in any zoning district by county zoning regulations;
- (3) Inserting language authorizing a county zoning ordinance to provide that transient accommodations may be furnished to a transient for a period of less than one hundred eighty consecutive days;
- (4) Deleting language that would have defined the term "transient vacation rental unit" and inserting a definition of "transient accommodations" to have the same meaning as defined under section 237D-1, Hawaii Revised Statutes;
- (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 managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2919, 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. 2919, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, DeCoite, Wakai, Rhoads, Hashimoto, and Awa.

Managers on the part of the Senate.

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

Representatives Evslin, Quinlan, Aiu, Kila, and Matsumoto.

Managers on the part of the House.

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

Conf. Com. Rep. 84-24 on S.B. No. 2079

The purpose of this measure is to allow the State of Hawaii Plant and Animal Declaration Form to be distributed, completed, and transmitted electronically.

Your Committee on Conference finds that the Hawaii Plant and Animal Declaration Form (Declaration Form) helps prevent the importation of harmful pests into the State. Your Committee on Conference recognizes that allowing individuals, passengers, and crew of any flight or cruise that enters the State to submit an electronic version of the Declaration Form would increase compliance and more accurate reporting of the importation of harmful pests into the State. This measure clarifies that the Hawaii Plant and Animal Declaration Form may be distributed, completed, and transmitted electronically, thereby facilitating the protection of Hawaii's unique environment, agriculture, and communities.

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. 2079, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2079, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, DeCoite, and Wakai.

Managers on the part of the Senate.

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

Representatives Gates, Kahaloa, Aiu, and Ward.

Managers on the part of the House.

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

Conf. Com. Rep. 85-24 on S.B. No. 1511

The purpose of this measure is to:

- (1) Clarify the purpose of the Research Corporation of the University of Hawaii and that its undertakings shall be limited to acts that are reasonably necessary to carry out its purpose;
- (2) Repeal the requirement that the University of Hawaii contract with the Research Corporation when the University determines that other various agencies cannot more effectively or efficiently accomplish certain research and training activities;
- (3) Grandfather existing Research Corporation contracts and require new contracts be subject to new limitations;
- (4) Limit the scope of the special account the Research Corporation is authorized to establish;
- (5) Require revolving accounts to follow University of Hawaii Administrative Procedure 12.204; and
- (6) Limit internal service orders and revolving accounts of the Research Corporation that use University intramural funds to certain projects and require biannual reports to the Legislature.

Your Committee on Conference finds that the Research Corporation of the University of Hawaii (Research Corporation) was established in 1965 for the purposes of promoting, encouraging, initiating, developing, and conducting scientific research and investigation in all branches of learning, which is then disseminated to the public. To achieve its statutory mandate, the Legislature at the time provided the Research Corporation with flexibility in certain operations to promote cooperative research projects with various firms and stakeholders. However, the Research Corporation has gradually expanded its undertakings beyond its original mandate, raising concerns that the Research Corporation has entered projects and roles outside of its established purpose. Therefore, this measure ensures greater accountability and transparency of the Research Corporation of the University of Hawaii and streamlines its purpose to align with its original purpose and intent.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that funds appropriated by the Legislature may be expanded to contract with the Research Corporation to be used for promoting and developing the scientific and commercial value of inventions, discoveries, and processes;

- (2) Clarifying that the University of Hawaii shall notify the exclusive representative of the appropriate bargaining unit to review conformance of positions that are planned to be hired through the Research Corporation;
- (3) Clarifying that, for each civil service employee that will be supplanted, the Research Corporation shall provide a list of the programs affected in its next report to the Legislature;
- (4) Specifying that persons being educated or trained shall be engaged in the conduct of research pursuant to a grant, contract, or other authorized funded agreement;
- (5) Inserting language requiring the Research Corporation to promote and develop the scientific and commercial value of inventions, discoveries, and processes;
- (6) Clarifying that the Research Corporation shall assist in disseminating knowledge through the publication of research findings;
- (7) Specifying that the Research Corporation may enter into and perform contracts, leases, cooperative agreements, or other transactions when the Board of Directors determines necessity in the conduct of the Research Corporation's business pursuant to its statutory purpose;
- (8) Repealing language that authorized the Research Corporation to receive awards from any agency or instrumentality of the United States, a foreign nation, a state, a territory, or a possession, or from any political subdivision thereof;
- (9) Clarifying that no gift to the Research Corporation shall be accepted unless its Board of Directors determines that the gift is beneficial to the Research Corporation's statutory purpose;
- (10) Clarifying that the Research Corporation may also receive devises or bequests, in addition to grants or gifts, on behalf of the University of Hawaii or any other agency of the State whenever the donor or grantor determines that the University or any other state agency cannot accomplish the purpose of the gifts, grants, devises, or bequests;
- (11) Clarifying that the Research Corporation may establish a special account for purposes relating to research, training, or the promotion or development of the scientific and commercial value of inventions, discoveries, and processes;
- (12) Clarifying that the Research Corporation shall follow University of Hawaii Administrative Procedure, AP. 12.204, relating to the guidelines and procedures for revolving fund service orders from the University of Hawaii to the Research Corporation;
- (13) Inserting an effective date of July 1, 2024; and
- (14) 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. 1511, 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. 1511, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Todd, Yamashita, Kitagawa, Nishimoto, and Garcia.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Nishimoto).

Conf. Com. Rep. 86-24 on S.B. No. 2337

The purpose of this measure is to expand the counties' authorization to exercise the same powers as the Hawaii Housing Finance and Development Corporation for purposes of developing, constructing, financing, refinancing, or providing low- and moderate-income housing projects and mixed-use developments.

Your Committee on Conference finds that, under existing law, the Hawaii Housing Finance and Development Corporation has the authority to plan, develop, construct, and finance housing projects, including mixed-use developments. Your Committee on Conference further finds that the counties are granted the same authority and powers, except for the ability to use affordable housing bonds to develop mixed-use developments. Because the counties also share a burden in promoting transit-oriented development, urban revitalization, and the conversion of properties to residential space, this measure will enable the counties to develop and construct mixed-use developments.

Your Committee on Conference has amended this measure by:

- (1) Inserting language requiring that county projects prioritize walkability to the extent practicable;
- (2) Making it effective upon its approval;
- (3) Inserting a sunset date of June 30, 2028; 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. 2337, 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. 2337, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Evslin, Aiu, Morikawa, Onishi, and Matsumoto.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 87-24 on S.B. No. 3364

The purpose of this measure is to:

- (1) Require the Hawaii Tourism Authority to develop destination management action plans for each county and to perform specific actions in each plan;
- (2) Expand the powers and duties of the Hawaii Tourism Authority;
- (3) Repeal the exemption of the Hawaii Tourism Authority from administrative supervision of boards and commissions;
- (4) Rename the Tourism Marketing Plan as the Strategic Tourism Management Plan; and
- (5) Require the Strategic Tourism Management Plan to include statewide destination management and regenerative tourism efforts and programs.

Your Committee on Conference finds that there is a need for improved management and coordination between the State and private and public stakeholders in the tourism industry to address the impacts of tourism. Your Committee on Conference further finds that the three-year, community-led destination management action plans have been a key initiative through which communities across the State have articulated their needs, desires, and visions for tourism in their communities, on their terms. This measure amends the powers and duties of the Hawaii Tourism Authority, statutorily establishes the destination management action plans, and aligns statutory mandates for the Hawaii Tourism Authority with the work they have already been doing to advance destination management and regenerative tourism.

Your Committee on Conference has amended this measure by:

- (1) Inserting an effective date of July 1, 2024; 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. 3364, 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. 3364, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Quinlan, Tarnas, Morikawa, Lamosao, Miyake, and Pierick.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 2 (Lamosao, Tarnas).

Conf. Com. Rep. 88-24 on S.B. No. 2659

The purpose of this measure is to:

- (1) Incorporate a regenerative framework into the Hawaii State Planning Act by expanding objectives and policies for the visitor industry;
- (2) Require periodic updates to the Tourism Functional Plan;
- (3) Specify elements to be included in the Tourism Functional Plan; and
- (4) Require an update to the Tourism Functional Plan to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025.

Your Committee on Conference finds that tourism has major environmental impacts, such as increased biodiversity loss, landscape impact, and waste and water scarcity. Regenerative tourism represents a sustainable way of traveling and discovering new places that also supports residents' preferences for managing tourism development. This measure incorporates a regenerative tourism framework into state planning objectives and policies to help maintain a high-quality visitor experience while counterbalancing many of the social, economic, and environmental impacts of tourism.

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. 2659, 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. 2659, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators DeCoite, Inouye, Wakai, and Fevella.

Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Inouye).

Representatives Quinlan, Lamosao, Holt, La Chica, and Pierick.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 89-24 on S.B. No. 572

The purpose of this measure is to:

- (1) Authorize and specify conditions under which the Department of Agriculture may declare a biosecurity emergency, during which the Department and Governor may take certain actions to prevent the establishment or spread of pests and prohibited or restricted organisms; and
- (2) Broaden the objectives and general actions of the State's Biosecurity Program.

Your Committee on Conference finds that the entry and establishment of new invasive species in the State can lead to significant economic and environmental loss. Your Committee on Conference recognizes that there is a high likelihood of a new, devastating pest or disease entering the State, given the increase and expansion of global trade and travel. Your Committee on Conference believes that authorizing the Department of Agriculture to declare a biosecurity emergency, with the Governor's approval, would help the Department acquire the necessary resources to rapidly respond to new pest introductions, thereby protecting the economy and environment of the State.

Your Committee on Conference has amended this measure by:

- (1) Inserting language that exempts any vessel that has anti-fouling hull coating and does not discharge ballast water, uses freshwater for ballasting, or is equipped with ultraviolet filtration systems for ballast water, from being requisitioned or taken control of by the Governor during a declared biosecurity emergency;
- (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. 572, 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. 572, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Gates, Tarnas, Kahaloa, Takayama, and Souza.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Souza).

Conf. Com. Rep. 90-24 on S.B. No. 2413

The purpose of this measure is to require the Board of Agriculture to submit a report to the Legislature before the Regular Session of 2025 on:

- (1) The percentages of agricultural lands being leased by the State that are suitable for farming and actively being used for farming purposes; and
- (2) Certain dollar amounts relating to lease transfers between lessees.

Your Committee on Conference finds that accurate data on public agricultural lands, especially those that are leased, would help optimize public and private investments in agriculture to meet the State's local food production and agricultural sustainability goals. This measure ensures that public land is used prudently for the benefit of its residents by identifying public, productive agricultural lands and protecting their use under the state and county land use regulatory systems.

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. 2413, 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. 2413, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, DeCoite, Rhoads, Richards, and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

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

Conf. Com. Rep. 91-24 on S.B. No. 3070

The purpose of this measure is to gradually reduce the Employees' Retirement System's maximum funding period to amortize the total unfunded accrued liability from thirty years to twenty years.

Your Committee on Conference finds that due to the Employees' Retirement System's (System) long-term investment performance, the funding period in which the System is expected to be fully funded has steadily decreased from the forecasted thirty years in fiscal year 2015-2016 to twenty-four years in fiscal year 2021-2022. Therefore, this measure will reduce the maximum projected funding period to amortize the total unfunded accrued liability of the System from thirty years to twenty years, which would lower future costs, align the System with new Actuarial Standards of Practice, and allow the State to receive favorable ratings from bond rating agencies.

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. 3070, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3070, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Aquino, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

Representatives Matayoshi, Garrett, Tam, and Alcos.

Managers on the part of the House.

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

Conf. Com. Rep. 92-24 on S.B. No. 2526

The purpose of this measure is to extend the Technology Services Consolidation Working Group's dissolution date and require the Working Group to assist the Office of Enterprise Technology Services in working with certain state agencies to inventory and categorize the business criticality of each major state information technology system or data set and determine the appropriate data center or hosting facility requirements.

Your Committee on Conference finds that government data systems provide critical government services to citizens of the State. Your Committee on conference further finds that the benefits of a resilient data center or hosting facility extend far beyond the avoidance of downtime, as it will foster greater public trust in government operations, as citizens can be confident that their data is secure and accessible even in the face of unforeseen events. Moreover, it will enhance the State's ability to respond to emergencies and natural disasters, ensuring that critical information remains available when it is needed most. Therefore, this measure will ensure that all consolidated state information technology data are housed in a facility with the resiliency to perform maintenance or upgrades without downtime and the redundancy and contingencies for power outages.

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. 2526, 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. 2526, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Aquino, McKelvey, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

Representatives Todd, Kitagawa, Chun, Kapela, Morikawa, and Garcia.

Managers on the part of the House.

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

Conf. Com. Rep. 93-24 on S.B. No. 2516

The purpose of this measure is to:

- (1) Clarify that centralized computer information management and processing services shall be provided through the Chief Information Officer; and
- (2) Specify that the Chief Information Officer shall be appointed by and have a salary established by the Governor and report to the Comptroller.

Your Committee on Conference finds that although the Office of Enterprise Technology Services is established within the Department of Accounting and General Services, existing law requires the Chief Information Officer who heads the Office to report to the Governor, rather than the Comptroller. Your Committee on Conference further finds that this glitch in the reporting structure was inadvertently created when the position of the Chief Information Officer was transferred from the Office of the Governor to the Department of Accounting and General Services. This measure corrects this structural deficiency.

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. 2516, 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. 2516, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Aquino, McKelvey, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

Representatives Matayoshi, Nakashima, Kitagawa, Tam, and Alcos.

Managers on the part of the House.

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

Conf. Com. Rep. 94-24 on S.B. No. 2287

The purpose of this measure is to:

- (1) Require the Information Technology Steering Committee to assist the Chief Information Officer in developing a plan to enhance and increase usage of the hawaii.gov mobile application, the State's mobile internet application; and
- (2) Require the Chief Information Officer's annual report of the Office of Enterprise Technology Services to include updates on the hawaii.gov mobile application.

Your Committee on Conference finds that the coronavirus disease 2019 pandemic demonstrated the importance of ensuring that state services are accessible to individuals using mobile communication devices. This measure will facilitate increased usage of "hawaii.gov mobile", the mobile application developed by the State for the public to access its website, by residents and visitors.

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. 2287, 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. 2287, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Aquino, Shimabukuro, and Fevella.

Managers on the part of the Senate.

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

Representatives Perruso, Kitagawa, Garrett, Kila, and Garcia.

Managers on the part of the House.

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

Conf. Com. Rep. 95-24 on S.B. No. 2536

The purpose of this measure is to amend the Hawaii Public Procurement Code by:

- (1) Establishing a new accounting services procurement preference for certain Hawaii accounting service businesses; and
- (2) Clarifying that the existing reciprocity procurement preference includes offerors under the provisions governing competitive sealed bids and competitive sealed proposals.

Your Committee on Conference finds that the State can encourage the growth and sustainability of businesses that employ Hawaii residents by providing those businesses with a competitive edge in government service contracts through the establishment of procurement preferences. The procurement preference established by this measure incentivizes public accounting firms with offices in the State to increase career opportunities for residents to provide accounting services to the government, while the expansion of the reciprocity exemption would further support fair competition with other public accounting firms that operate out of low-cost jurisdictions and do not have offices in the State. Your Committee on Conference respectfully requests that any departments affected by this measure communicate to the Legislature on the impact of this measure on the State.

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

- (1) Inserting an effective date of July 1, 2024, and a repeal date of July 1, 2028; 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. 2536, 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. 2536, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators McKelvey, Shimabukuro, and Fevella.

Managers on the part of the Senate.

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

Representatives Matayoshi, Nakashima, Garrett, Kitagawa, Lamosao, and Alcos.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 2 (Kitagawa, Nakashima).

Conf. Com. Rep. 96-24 on H.B. No. 1902

The purpose of this measure is to:

- (1) Clarify that the Governor's and mayors' emergency management powers must be consistent with the Hawaii State Constitution;
- (2) Clarify the scope of the comprehensive emergency management plan;
- (3) Clarify the powers of the Governor and mayors to extend or terminate a state of emergency or local state of emergency, respectively;
- (4) Shorten the duration of price control periods from ninety-six hours to seventy-two hours in a state of emergency or local state of emergency; and
- (5) Amend emergency management law regarding tenants, mortgagors, consumers, and residents for certain periods of time after the issuance of a state of emergency or local state of emergency.

Your Committee on Conference has amended this measure by:

- (1) Reverting to the H.D. 1, thereby deleting part II, pertaining to tenants, mortgagors, consumers, and residents for certain periods of time after the issuance of a state of emergency or local state of emergency;
- (2) Changing its effective date to upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1902, 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. 1902, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Keohokalole, Rhoads, and Elefante.

Managers on the part of the Senate.

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

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

Managers on the part of the House.

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

Conf. Com. Rep. 97-24 on H.B. No. 2453

The purpose of this measure is to authorize the Governor, or a state official with authorization from the Governor, to transfer federal capitalization grant monies between the Water Pollution Control Revolving Fund and the Drinking Water Treatment Revolving Loan Fund.

Your Committee on Conference has amended this measure by:

- (1) Requiring the Department of Health, no later than twenty days prior to the convening of each Regular Session, to submit to the Legislature a report on:
 - (A) All transfers between the Water Pollution Control Revolving Fund and Drinking Water Treatment Revolving Loan Fund; and
 - (B) Whether the transfers comply with federal law; 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. 2453, 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. 2453, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Lee, and Rhoads.

Managers on the part of the Senate.

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

Representatives Ichiyama, Lowen, Poepoe, M. Mizuno, and Ward.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, 2 (M. Mizuno, Ward).

Conf. Com. Rep. 98-24 on H.B. No. 2467

The purpose of this measure is to repeal the sunset provision of Act 222, Session Laws of Hawaii 2021, to permanently allow the Board of Land and Natural Resources to approve rent credits in the form of rental reductions or waivers for leases that require substantial demolition costs or infrastructure improvement costs for the lessee to utilize the premises.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2467, 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. 2467, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Aquino, Elefante, and Fevella.

Managers on the part of the Senate.

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

Representatives Ichiyama, Tarnas, Nishimoto, Chun, Takayama, and Souza.

Managers on the part of the House.

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

Conf. Com. Rep. 99-24 on H.B. No. 2361

The purpose of this measure is to authorize the Hawaii Community Development Authority, upon request, to render services to assist and enter into cooperative agreements with state and county agencies for projects within and outside designated community development districts.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2361, 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. 2361, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Moriwaki, Rhoads, and Fevella.

Managers on the part of the Senate.

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

Representatives Poepoe, Tarnas, Kila, Garrett, Ichiyama, and Souza.

Managers on the part of the House.

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

Conf. Com. Rep. 100-24 on H.B. No. 2471

The purpose of this measure is to establish a statutory framework for inspections of public land leases or licenses by the Department of Land and Natural Resources, including by third-party inspectors contracted by the Department.

Your Committee on Conference has amended this measure by:

- (1) Narrowing the types of public land that may be inspected by the Department of Land and Natural Resources to public land subject to a lease or license under chapter 171, Hawaii Revised Statutes;
- (2) Narrowing the subject of authorized inspections by third-party inspectors to structures or buildings, rather than all public land subject to a lease or license under chapter 171, Hawaii Revised Statutes;
- (3) Narrowing the type of corrective action the Department of Land and Natural Resources may take based on the third-party inspectors' reports to corrective action regarding structures or buildings, rather than leases, licenses, or land;
- (4) Incorporating its provisions by operation of law as a provision of all leases and licenses entered into by the Board of Land and Natural Resources after, rather than as of, its effective date; 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. 2471, 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. 2471, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Rhoads, Aquino, Elefante, and Fevella.

Managers on the part of the Senate.

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

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

Managers on the part of the House.

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

Conf. Com. Rep. 101-24 on H.B. No. 2499

The purpose of this measure is to:

- (1) Designate the Dean of the College of Engineering at the University of Hawaii as the Chief Procurement Officer for the University; and
- (2) Extend the sunset date for the designation of the University of Hawaii Chief Procurement Officer to June 30, 2027.

Your Committee on Conference has amended this measure by:

- (1) Designating the University of Hawaii Chief Financial Officer, rather than the Dean of the College of Engineering at the University of Hawaii, as the Chief Procurement Officer for the University;

- (2) Extending the sunset date for the designation of the Chief Financial Officer as the Chief Procurement Officer to June 30, 2028;
- (3) Requiring the University of Hawaii to:
 - (A) Provide the Chief Financial Officer a six-month transition period to hire and transfer the necessary procurement staff; and
 - (B) Complete its reorganization to place the procurement staff under the control of the Chief Financial Officer by July 1, 2025;
- (4) Changing the effective date to June 29, 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. 2499, 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. 2499, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kim, McKelvey, Moriwaki, Hashimoto, and Fevella.
Managers on the part of the Senate.
Ayes, 5. Noes, none. Excused, none.

Representatives Matayoshi, Nakashima, Garrett, Kitagawa, Lamosao, and Alcos.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, 1 (Nakashima).

Conf. Com. Rep. 102-24 on H.B. No. 1832

The purpose of this measure is to:

- (1) Allow a state department, division, or agency, rather than the Department of Human Resources Development, to conduct a minimum qualification review of applicants for vacant positions within the department, division, or agency; and
- (2) Require the Department of Human Resources Development to provide state departments, divisions, and agencies the applications received for vacancies under certain circumstances.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have authorized a state department, division, or agency to consider alternative qualifications and substitutions in place of minimum qualifications; 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. 1832, 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. 1832, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Aquino, McKelvey, Moriwaki, and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

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

Conf. Com. Rep. 103-24 on H.B. No. 2715

The purpose of this measure is to authorize the issuance of special number plates to commemorate Malama Puuloa.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2715, 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. 2715, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tam, Chun, Martinez, and Alcos.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 104-24 on H.B. No. 2484

The purpose of this measure is to conform Hawaii income and estate and generation-skipping transfer tax laws to the Internal Revenue Code as of December 31, 2023.

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. 2484, 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. 2484, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kanuha, Hashimoto, and Fevella.

Managers on the part of the Senate.

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

Representatives Kitagawa, Lamosao, Yamashita, and Ward.

Managers on the part of the House.

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

Conf. Com. Rep. 105-24 on H.B. No. 1760

The purpose of this measure is to:

- (1) Authorize the Hawaii Housing Finance and Development Corporation, or a county pursuant to a cooperative agreement, to establish a bond volume cap recycling program;
- (2) Authorize the Hawaii Housing Finance and Development Corporation, subject to legislative approval, to secure a line of credit or other instrument of indebtedness to meet federal requirements for the bond volume cap recycling program;
- (3) Require a county or issuer to submit a report to the Department of Budget and Finance and Hawaii Housing Finance and Development Corporation on the status or use of its portion of the volume cap that is being recycled;
- (4) Establish a bond volume cap recycling program subaccount in the Rental Housing Revolving Fund; and
- (5) Provide legislative authorization for the Hawaii Housing Finance and Development Corporation to secure a line of credit or other instrument of indebtedness during the 2023-2025 fiscal biennium not to exceed \$150,000,000.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have codified in the Hawaii Revised Statutes a statutory cap of \$150,000,000 for the total amount of the line of credit or other indebtedness that the Hawaii Housing Finance and Development Corporation may secure;
- (2) Changing the effective date to July 1, 2024; 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. 1760, 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. 1760, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Hashimoto, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

Representatives Evslin, Aiu, Garrett, Miyake, Onishi, and Matsumoto.

Managers on the part of the House.

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

Conf. Com. Rep. 106-24 on H.B. No. 2563

The purpose of this measure is to:

- (1) Require the Hawaii Tourism Authority to study the feasibility of, and create a plan for, developing and publishing a mobile application that includes all online application processes and fee collections for reservations to conduct regulated recreational and commercial activities;
- (2) Exempt the Hawaii Convention Center from certain requirements regarding concessions on public property;
- (3) Authorize the Hawaii Tourism Authority to sell or lease the naming rights of the Hawaii Convention Center; and
- (4) Facilitate advertising and marketing in or on the Hawaii Convention Center.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have required the Hawaii Tourism Authority to study the feasibility of, and create a plan for, developing and publishing the mobile application; 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. 2563, 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. 2563, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators DeCoite, Wakai, and Fevella.

Managers on the part of the Senate.

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

Representatives Quinlan, Kitagawa, Garrett, La Chica, and Pierick.

Managers on the part of the House.

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

Conf. Com. Rep. 107-24 on H.B. No. 2192

The purpose of this measure is to allow the Director of Commerce and Consumer Affairs to appoint a limited owner of a cemetery for which no owner can be found and authorize the limited owner to file complaints for wrongful acts and engage in security and perpetual care activities for the cemetery.

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. 2192, 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. 2192, 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, 2. Noes, none. Excused, 1 (Awa).

Representatives Amato, Kitagawa, Chun, Takayama, and Pierick.

Managers on the part of the House.

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

Conf. Com. Rep. 108-24 on H.B. No. 2546

The purpose of this measure is to:

- (1) Allow for the use of fine meshed nets for the protection of plants against invasive species; and
- (2) Require the Department of Agriculture to establish a registration program for purchasers of fine meshed nets in the State.

Your Committee on Conference has amended this measure by:

- (1) Inserting a preamble related to the use of fine meshed nets for the protection of plants against invasive species, such as the coconut rhinoceros beetle;
- (2) Specifying the manner in which fine meshed nets shall be applied;
- (3) Deleting language that would have required the Department of Agriculture to establish a registration program;
- (4) Requiring the Department of Agriculture to adopt certain rules related to preventing non-targeted entanglement and other prohibited uses;
- (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. 2546, 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. 2546, 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, Kahaloa, Cochran, and Ward.

Managers on the part of the House.

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

Conf. Com. Rep. 109-24 on H.B. No. 2339

The purpose of this measure is to:

- (1) Delete the term "enhanced" in reference to 911 services to allow funding of all 911 technologies; and
- (2) Allow the 911 board to employ staff, in addition to the Executive Director, who are exempt from civil service and collective bargaining laws.

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. 2339, 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. 2339, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators McKelvey, Moriwaki, Keohokalole, Wakai, and Awa.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 2 (Wakai, Awa).

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

Conf. Com. Rep. 110-24 on H.B. No. 1836

The purpose of this measure is to allow registered pharmacists, during declared states of emergency, to refill prescriptions for persons directly affected by the declared emergency for up to a thirty-day supply without the practitioner's authorization if the practitioner is unavailable to authorize the refill and if, in the pharmacist's professional judgment, failure to refill the prescription might interrupt the patient's ongoing care and have a significant adverse effect on the patient's well-being.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1836, 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. 1836, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Ichiyama, Belatti, Sayama, Poepoe, M. Mizuno, Takenouchi, and Garcia.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 3 (M. Mizuno, Takenouchi, Garcia).

Conf. Com. Rep. 111-24 on S.B. No. 2591

The purpose of this measure is to:

- (1) Impose a fine on any private landowner that fails to disclose or record with the Bureau of Conveyances, or in documents used to offer real property for sale, the existence of burial or archaeological sites on their property that the landowner knew or should have known of; and
- (2) Require fines collected to be deposited into the Hawaii Historic Preservation Special Fund.

Your Committee on Conference finds that it is important that private landowners contribute to the preservation and protection of burial sites on their lands. This measure will hold private landowners accountable by imposing fines on property owners that fail to record or disclose these sites on their land.

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. 2591, 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. 2591, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 112-24 on S.B. No. 3109

The purpose of this measure is to give practical effect to the Legislature's intent for the appropriation in Act 279, Session Laws of Hawaii 2022 (Act 279), by:

- (1) Establishing the Act 279 Special Fund until June 30, 2026;
- (2) Depositing certain unexpended or unencumbered funds appropriated through Act 279 that are set to lapse on June 30, 2024, into the Act 279 Special Fund and appropriating funds out of the Act 279 Special Fund; and
- (3) Providing that unencumbered monies from the appropriation out of the Act 279 Special Fund shall lapse on June 30, 2026.

Your Committee on Conference finds that Act 279 appropriated \$600,000,000 to the Department of Hawaiian Home Lands to reduce the number of applicants on the Department's waitlist. However, the appropriation made by Act 279 does not align with the constitutional time limit on appropriations set by article VII, section 11, of the Hawaii State Constitution. This measure will correct the original general fund lapse date in Act 279 and ensure that the Department of Hawaiian Home Lands may expend the funds appropriated by Act 279 as the Legislature intended.

Your Committee on Conference has amended this measure by:

- (1) Establishing the Act 279 Special Fund in session law, rather than in the Hawaiian Homes Commission Act of 1920, as amended;
- (2) Specifying that moneys in the Act 279 Special Fund shall also be used to explore and develop opportunities to generate additional revenue from lands that the Department of Hawaiian Home Lands controls to fulfill its fiduciary duties;
- (3) Inserting an appropriation of \$129,100,000 to be expended by the Department of Hawaiian Home Lands for the purposes of Act 279;
- (4) Clarifying that the appropriation made by this Act shall not lapse at the end of the fiscal biennium for which the appropriation is made; provided that all moneys from the appropriation unexpended or unencumbered as of June 30, 2026, shall lapse as of that date; and
- (5) Inserting an effective date of June 29, 2024, and a repeal date of June 30, 2026.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3109, 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. 3109, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Nishimoto, Holt, Kila, and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Ward).

Conf. Com. Rep. 113-24 on S.B. No. 2601

The purpose of this measure is to:

- (1) Expand the time period by which a civil action for childhood sexual abuse committed on or after July 1, 2024, may be initiated; and
- (2) Authorize a court to require personnel of legal entities to undergo training on trauma—informed response to allegations of sexual abuse.

Your Committee on Conference finds that many childhood sexual abuse victims withhold disclosure, often due to limited access to quality psychological care and social services. This measure will provide victims of childhood sexual abuse additional time to come forward and seek justice against their abuser.

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. 2601, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2601, 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, 2. Noes, none. Excused, 1 (Awa).

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

Conf. Com. Rep. 114-24 on S.B. No. 3290

The purpose of this measure is to:

- (1) Require the Disability and Communication Access Board to convene a working group to study the state of American Sign Language interpretation services in Hawaii; and
- (2) Require the working group to submit a report to the Legislature with the assistance of the Department of Health.

Your Committee on Conference finds that American Sign Language (ASL) interpreters provide a critical service to deaf, hard of hearing, deaf-blind, and hearing individuals in the State that wish to effectively communicate with each other in a variety of settings and circumstances. Your Committee on Conference further finds that there remains a critical need to develop an ASL interpreter workforce and to acquire additional information on the state of ASL interpretation services in the State. This measure will provide critical data to ensure greater access for individuals to receive ASL interpretation services in the State during emergencies and daily life activities and address other current and future issues relating to this critical service.

Your Committee on Conference has amended this measure by:

- (1) Inserting language to clarify that no member of the working group shall be made subject to chapter 84, Hawaii Revised Statutes, solely because of that member's participation as a member of the working group; 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. 3290, 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. 3290, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Kanuha, and Awa.

Managers on the part of the Senate.

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

Representatives Belatti, Marten, Nishimoto, Amato, and Garcia.

Managers on the part of the House.

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

Conf. Com. Rep. 115-24 on S.B. No. 2725

The purpose of this measure is to reduce the pass-through entity level tax rate and allow the pass-through entity tax credit to be carried forward to subsequent years.

Your Committee on Conference finds that Act 50, Session Laws of Hawaii 2023, allowed certain pass-through entities to elect to pay Hawaii income tax at the entity level. Act 50 was enacted to assist Hawaii's small businesses by allowing taxpayers to deduct Hawaii state income taxes paid on their federal income tax returns. These deductions from federal taxable income had been eliminated by changes to the federal tax code in 2017, which deprived Hawaii taxpayers of significant federal tax benefits. Under Act 50, the entity level tax is calculated by applying the highest individual income tax rate to the taxable income to be distributed, thus entitling qualified pass-through entity members to receive a nonrefundable income tax credit that cannot be carried forward to a subsequent year if the credit exceeds the member's income tax liability. Your Committee on Conference further finds that, due to the inability to carry forward the tax credit, many members remain unable to benefit from Act 50 as intended.

Your Committee on Conference has amended this measure by:

- (1) Reverting it to the original version of the measure, which:
 - (A) Adds a definition for "qualified member" and repeals the definitions for "direct member" and "indirect member", as used in the State's pass-through entity taxation election law; and
 - (B) Allows certain qualified members who are entitled to a tax credit to use the credit against the member's net income tax liability in subsequent years until exhausted;
- (2) Amending the pass-through entity level tax rate to be the sum of all qualified member's distributive shares and guaranteed payments of Hawaii taxable income, as calculated under chapter 235, Hawaii Revised Statutes, multiplied by nine percent; and
- (3) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2725, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2725, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Wakai, and Fevella.

Managers on the part of the Senate.

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

Representatives Kitagawa, Chun, Garrett, and Alcos.

Managers on the part of the House.

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

Conf. Com. Rep. 116-24 on S.B. No. 3083

The purpose of this measure is to amend various sections of article 11 of the Insurance Code to adopt revisions to the National Association of Insurance Commissioners (NAIC) Model No. 440, Insurance Holding Company System Regulatory Act.

Your Committee on Conference finds that the NAIC updated certain provisions of the Insurance Holding Company System Regulatory Act, relating to, among other things, the group capital assessment and calculation, which captures insurer risk at the level of the entire group, and liquidity stress test calculation. Accordingly, this measure makes various technical updates to the State's Insurance Holding Company System law to conform with the NAIC revisions.

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. 3083, 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. 3083, 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 (Awa).

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

Conf. Com. Rep. 117-24 on S.B. No. 3094

The purpose of this measure is to:

- (1) Establish a temporary Peer Support Specialist Working Group (Working Group) within the Office of Wellness and Resilience to develop and make recommendations for a framework for peer support specialists in the State;
- (2) Require the Working Group to submit a report of its findings and recommendations to the Legislature before the Regular Session of 2025; and
- (3) Appropriate funds for the Working Group, including 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 on Conference finds that peer support is effective for improving behavioral health outcomes, including reduced hospital admission rates, longer community tenure, increased social functioning, and decreased substance abuse and depression. The recommendations from the Working Group established pursuant to this measure will allow the State to make an informed decision on establishing a framework of trauma-informed care for peer support specialists to better serve individuals in need.

Your Committee on Conference further funds that reimbursing members of the Working Group who are employed by the State and serving in their official capacity on the Working Group would be duplicating travel expenses they already receive. Furthermore, your Committee on Conference finds that compensating members of the Working Group who are not employed by the State could create a disparity with other state-mandated working groups.

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

- (1) Deleting language that would have:
 - (A) Reimbursed members of the Working Group who are employed by the State and serving in their official capacity on the Working Group for reasonable expenses necessary for the performance of their duties, including travel expenses;
 - (B) Required that members of the Working Group who are not employed by the State receive compensation for their time spent on Working Group meetings and related work; and
 - (C) Appropriated funds for the Working Group, including 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;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of July 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. 3094, 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. 3094, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Marten, Chun, Ilagan, Kobayashi, and Garcia.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 2 (Ilagan, Garcia).

Conf. Com. Rep. 118-24 on S.B. No. 2943

The purpose of this measure is to:

- (1) Establish a Commercial Drivers Workforce Working Group within the Department of Transportation to address the workforce shortage of commercial drivers in the State; and
- (2) Require a report to the Legislature.

Your Committee on Conference finds that the scarcity of commercial drivers license (CDL) holders directly impacts the State's public and private sectors. Your Committee on Conference further finds that taking steps, including the establishment of a working group to develop a plan to address the shortage of commercial drivers in the State, will help to increase the efficiency and reliability of the State's public and private sectors.

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. 2943, 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. 2943, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Todd, Kila, Miyake, and Matsumoto.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (Matsumoto).

Conf. Com. Rep. 119-24 on S.B. No. 2439

The purpose of this measure is to extend the statute of limitations for a one—year period beginning on July 1, 2024, for civil actions brought by adult victims of acts that occurred after June 30, 2014, that constituted or would have constituted a criminal sexual offense.

Your Committee on Conference finds that victims of sexual abuse may face certain obstacles when filing a civil action against their abusers, such as requiring additional time before they are ready to file a lawsuit. This measure will allow more victims to seek justice by extending the statute of limitations for civil actions brought by persons subjected to sexual offenses as an adult against the person who committed the act.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have made amendments to section 657-1.8, Hawaii Revised Statutes, that would have:
 - (A) Beginning July 1, 2024, authorized a person eighteen years of age or older who is a victim of sexual abuse that occurred after June 30, 2014, to file a claim for a period of one year if the victim was barred from filing a claim against the victim's abuser due to the expiration of the applicable civil statute of limitations in effect before July 1, 2024;
 - (B) Clarified that a civil cause of action for sexual abuse of a person more than eighteen years of age shall be based upon sexual acts that constituted or would have constituted a criminal offense under existing sexual offense provisions;
 - (C) Authorized a psychologist licensed pursuant to chapter 465, Hawaii Revised Statutes, to notarize a statement included in the certificate of merit; and
 - (D) Clarified that the notarized statement shall include the facts and opinions of acts specified in section 657-1.8(b), Hawaii Revised Statutes;
- (2) Inserting language that creates a new section in chapter 657, Hawaii Revised Statutes, that:
 - (A) Beginning July 1, 2024, revives for a two-year period certain actions for which the statute of limitations had previously lapsed if the abuse occurred after June 30, 2012, in the State when the person who is a victim of sexual abuse was eighteen years or older;
 - (B) Establishes provisions for claims against legal entities during the two-year window period if there is a finding of gross negligence;
 - (C) Clarifies that a civil cause of action for sexual abuse of a person that occurred when the person was eighteen years of age or older shall be based upon sexual acts that constituted or would have constituted a criminal offense under existing sexual offense provisions;
 - (D) Allows a victim of sexual abuse to file a civil claim against a legal entity under certain circumstances;
 - (E) Authorizes a defendant to recover attorney's fees if the court determines that a false accusation was made with no basis in fact and with malicious intent;

- (F) Requires the submission of a certificate of merit, filed by the attorney for the plaintiff, that shall be sealed and remain confidential;
- (G) Requires the certificate of merit to include a notarized statement by a marriage and family therapist licensed pursuant to chapter 451J, Hawaii Revised Statutes; mental health counselor licensed pursuant to chapter 453D, Hawaii Revised Statutes; psychologist licensed pursuant to chapter 465, Hawaii Revised Statutes; or clinical social worker licensed pursuant to chapter 467E, Hawaii Revised Statutes; and
- (H) Clarifies that the notarized statement is required to include the facts and opinions that were relied upon to form a reasonable belief that the plaintiff was subject to acts that constituted or would have constituted a criminal offense under part V of chapter 707, Hawaii Revised Statutes;
- (3) Deleting the sunset date of July 1, 2025;
- (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. 2439, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2439, S.D. 1, H.D. 1, C.D. 1.

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, Nishimoto, Holt, Ichiyama, and Souza.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 120-24 on S.B. No. 2475

The purpose of this measure is to:

- (1) Establish a harm to students registry, for all early learning programs or schools and K-12 educational institutions within the State, that contains information on school employees, contractors, or volunteers for whom, as result of an investigation, a final finding has been issued that the individual has inflicted harm on a student; and
- (2) Appropriate funds.

Your Committee on Conference finds that Hawaii's prekindergarten through grade twelve students have a right to pursue their educational goals in safe, secure, and healthy learning environments statewide. However, in recent years, there has been a growing number of individuals who have perpetuated harm against children at one institution and then sought subsequent employment at another institution, creating a cycle of harm and abuse towards students. This measure establishes a Harm to Students Registry to create additional safeguards for students, maintain safe learning environments, and ensure individuals who have inflicted harm against students are held accountable.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have authorized the Department of Education to share information listed on the Harm to Students Registry with the Department of Human Services;
- (2) Deleting the appropriation;
- (3) Inserting an effective date of July 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. 2475, 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. 2475, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Aquino, Kim, Rhoads, and Hashimoto.
Managers on the part of the Senate.
Ayes, 5. Noes, none. Excused, none.

Representatives Woodson, Tarnas, Takenouchi, La Chica, M. Mizuno, Takayama, and Garcia.
Managers on the part of the House.
Ayes, 7. Noes, none. Excused, none.

Conf. Com. Rep. 121-24 on S.B. No. 1099

The purpose of this measure is to clarify the authority of the counties to use county surcharge on state tax revenues for housing infrastructure costs for county-supported housing projects.

Your Committee on Conference finds that the cost of infrastructure to support housing is a major barrier to the development of affordable and workforce housing statewide. Your Committee on Conference notes that Maui County is the only county in the State that has not adopted a surcharge on state tax and that allowing surcharges on state tax to be used for housing infrastructure would provide Maui County with the revenues necessary to address its affordable housing crisis. This measure offers another source of funding for counties to offset the high costs of housing infrastructure, thereby accelerating the development of housing projects at the county level. Your Committee on Conference notes that the phrase “county-supported housing projects” could be ambiguous and, as such, believes that an amendment that clarifies the authority of the counties to use their surcharge on state tax revenues for housing infrastructure costs only for county-appropriated housing infrastructure costs is necessary to ensure that no ambiguity exists.

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

- (1) Clarifying that the authority of the counties to use their surcharge on state tax revenues for housing infrastructure costs are only for county-appropriated housing infrastructure costs;
- (2) Inserting an effective date of July 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. 1099, 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. 1099, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators McKelvey, Hashimoto, and Elefante.

Managers on the part of the Senate.

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

Representatives Matayoshi, Yamashita, Garrett, Miyake, Poepoe, and Alcos.

Managers on the part of the House.

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

Conf. Com. Rep. 122-24 on S.B. No. 2937

The purpose of this measure is to repeal the sunset date for the exemption of laboratory school programs of the Hawaiian language college at the University of Hawaii at Hilo from state English-medium standards, assessments, performance ratings, staff qualifications, and staff training requirements.

Your Committee on Conference finds that existing professional standards at Hawaiian language medium education programs ensure affiliated teachers and staff complete certain assessments, are appropriately trained, and are reviewed accordingly. This measure will therefore ensure continuity of the laboratory school program to provide high quality Hawaiian language immersion educational experiences for Hawaii’s students.

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. 2937, 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. 2937, S.D. 1, H.D. 2, 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 Todd, Tarnas, Morikawa, Kahaloa, Kila, and Garcia.

Managers on the part of the House.

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

Conf. Com. Rep. 123-24 on S.B. No. 3207

The purpose of this measure is to:

- (1) Remove the salary cap of the Superintendent of Education; and
- (2) Make permanent the annual performance evaluation requirements for the Superintendent of Education.

Your Committee on Conference finds that the Superintendent of Education plays a significant role in effectuating education policy and goals for the Department of Education. This measure repeals the salary cap for the Superintendent while ensuring high performance standards through a permanent, annual performance evaluation.

Your Committee on Conference has amended this measure by inserting an effective date of June 29, 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. 3207, 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. 3207, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Kim, and Fevella.

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

Representatives Woodson, Morikawa, La Chica, and M. Mizuno.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 124-24 on S.B. No. 2861

The purpose of this measure is to:

- (1) Make certain long-term exclusive listing agreements for the sale of residential real property void and unenforceable under the state law that governs unfair and deceptive practices;
- (2) Prohibit the recording or filing of exclusive listing agreements of any duration with the Bureau of Conveyances; and
- (3) Establish certain remedies for violations.

Your Committee on Conference finds that exclusive listing agreements are agreements that require a homeowner to grant exclusive listing rights for a property over a certain period of time, typically in exchange for a nominal upfront payment. Having been known to last up to forty years, these exclusive listing agreements--which are recorded as liens that run with the property--can impede the owner's ability to sell, refinance, or transfer the property can likewise subject future owners to the agreement without notice. Your Committee on Conference finds that many consumers are enticed into entering these complex agreements without a full understanding of the consequences because companies often deceptively advertise their terms or fail to fully disclose them. Accordingly, it is necessary to prevent unfair exclusive listing agreements from becoming prevalent in the State, and therefore this measure makes certain long-term exclusive listing agreements for the sale of residential real property void and unenforceable.

Your Committee on Conference has amended this measure by inserting an effective date of November 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. 2861, 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. 2861, S.D. 1, H.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 Tarnas, Sayama, Nishimoto, Amato, Tam, and Pierick.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 125-24 on H.B. No. 2480

The purpose of this measure is to:

- (1) Require the Office of the Lieutenant Governor to set a fee for the issuance of an apostille or a non--apostille certification; and
- (2) Establish and appropriate funds into and out of the Apostilles and Certifications Special Fund.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$12,000 into and out of the Apostilles and Certifications Special Fund for operational and administrative expenses of the apostille and certification of document services;
- (2) Changing the effective date to July 1, 2024; 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. 2480, 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. 2480, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators McKelvey, Kanuha, Rhoads, Hashimoto, and Awa.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, 1 (Rhoads).

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

Conf. Com. Rep. 126-24 on H.B. No. 1827

The purpose of this measure is to appropriate funds to:

- (1) Support the Public High School Health Care Workforce Certificate Program;
- (2) Renovate and equip certain public high school classrooms to be used for health care training; and

- (3) Support the Glidepath Program for certified nurse aides.

Your Committee on Conference has amended this measure by:

- (1) Appropriating \$750,000 to the Department of Business, Economic Development, and Tourism to support the Public High School Health Care Workforce Certificate Program;
- (2) Appropriating \$1,000,000 as a grant-in-aid for Hawaii3R's to renovate and equip certain public high school classrooms to be used for health care training;
- (3) Appropriating \$700,000 to the Department of Business, Economic Development, and Tourism to support the Glidepath Program for certified nurse aides;
- (4) Changing the effective date to July 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. 1827, 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. 1827, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Matayoshi, Woodson, Garrett, La Chica, Lamosao, and Alcos.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 127-24 on H.B. No. 1686

The purpose of this measure is to require that the authorized benefits for chiropractic treatments allowed under personal injury protection benefits provided through motor vehicle insurance be tied to the charges, and any subsequent increases in charges, that are permissible under the workers' compensation supplemental medical fee schedule.

Your Committee on Conference has amended this measure by:

- (1) Inserting the contents of the H.D. 1 version, which increases the reimbursement rate for chiropractic treatments for personal injury protection benefits under motor vehicle insurance from \$75 to \$100; 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. 1686, 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. 1686, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Matayoshi, Nakashima, Nishimoto, Garrett, Tam, and Alcos.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 2 (Nakashima, Tam).

Conf. Com. Rep. 128-24 on H.B. No. 1640

The purpose of this measure is to:

- (1) Require that within thirty days of receipt of a written request from the exclusive representative to negotiate, and at times allowed under the collective bargaining agreement, the employer shall negotiate the repricing of classes within a bargaining unit; and
- (2) Provide that if an employer fails to timely initiate a negotiation or the parties cannot reach an agreement within ninety days after the exclusive representative's written request to negotiate or by January 31 of a year in which the agreement is due to expire, whichever is earlier, an impasse exists and certain impasse procedures shall apply.

Your Committee on Conference has amended this measure by:

- (1) Increasing the timeframe in which impasse procedures shall apply from ninety to one hundred fifty days;
- (2) Specifying that no more than fifteen repricing impasse procedures shall be active at any time, under certain conditions;
- (3) Changing the effective date to July 1, 2024;
- (4) Inserting a sunset date of June 30, 2029, and specifying that any negotiations on repricing that started prior to the sunset date may continue after the sunset date; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee on Conference has specifically excluded collective bargaining agreement impasse procedures from the fifteen active impasse procedure maximum in this measure. Only repricing impasse procedures shall count toward the fifteen maximum amount.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1640, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1640, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 129-24 on H.B. No. 2641

The purpose of this measure is to:

- (1) Reestablish the Appraisal Management Company Registration Program within the Department of Commerce and Consumer Affairs, to begin September 1, 2024; and
- (2) Appropriate funds from the Compliance Resolution Fund for the Program.

Your Committee on Conference has amended this measure by:

- (1) Appropriating \$23,000 out of the Compliance Resolution Fund for fiscal years 2023-2024 and 2024-2025 to the Department of Commerce and Consumer Affairs to implement the Appraisal Management Company Registration 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. 2641, 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. 2641, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Lee, Richards, and Awa.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Awa).

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

Conf. Com. Rep. 130-24 on H.B. No. 1925

The purpose of this measure is to establish and appropriate funds for the Hawaii State Planning Act Phase II Task Force within the Office of Planning and Sustainable Development.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$225,000 for the administration costs of the Hawaii State Planning Act Phase II Task Force;
- (2) Inserting an appropriation amount of \$75,000 for the establishment of one full-time equivalent coordinator position to support the Hawaii State Planning Act Phase II Task Force;
- (3) Changing its effective date to July 1, 2024; 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. 1925, 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. 1925, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 131-24 on H.B. No. 2107

The purpose of this measure is to appropriate funds to establish a Limited English Proficiency Language Access Coordinator within the Hawaii Emergency Management Agency.

Your Committee on Conference has amended this measure by:

- (1) Exempting the Limited English Proficiency Language Access Coordinator position from the civil service;
- (2) Inserting an appropriation amount of \$100,000 for the establishment of one full-time equivalent Limited English Proficiency Language Access Coordinator position;
- (3) Inserting an appropriation amount of \$100,000 for programming support for limited English proficiency community projects, such as public service announcements, translation services, and other program projects and support;
- (4) Changing its effective date to July 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. 2107, 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. 2107, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 132-24 on H.B. No. 2248

The purpose of this measure is to appropriate funds to the University of Hawaii Sea Grant College Program to develop a north shore beach management and climate adaptation plan for the North Shore of Oahu from Sunset Point to the Kapo'o (Sharks Cove) area.

Your Committee on Conference has amended this measure by:

- (1) Changing the north shore beach management and climate adaptation plan to a north shore beach management plan;
- (2) Modifying the scope of the north shore beach management plan;
- (3) Inserting an appropriation amount of \$1,000,000 for development of the north shore beach management plan;
- (4) Changing its effective date to July 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. 2248, 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. 2248, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs and Senate President on behalf of the Committee.

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

Representatives Ichiyama, Todd, Poepoe, Ganaden, M. Mizuno, and Garcia.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, 1 (Garcia).

Conf. Com. Rep. 133-24 on H.B. No. 2685

The purpose of this measure is to establish and appropriate funds for:

- (1) The Solar Hui Program to allow multi-family residential property owners to invest into a Solar Hui Investment Fund, which will provide loans to low- and moderate-income households to install solar energy systems; and
- (2) The Solar Hui Program Fund Manager to manage the Solar Hui Investment Fund, market the Solar Hui Program, and select solar contractors for energy projects.

Your Committee on Conference has amended this measure by:

- (1) Changing the means of financing from general revenues to the Hawaii Green Infrastructure Special Fund;
- (2) Inserting an appropriation amount of \$203,750 out of the Hawaii Green Infrastructure Special Fund for the implementation of the Solar Hui Program, including one full-time equivalent Solar Hui Program Fund Manager position;
- (3) Changing the effective date to July 1, 2024; 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. 2685, 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. 2685, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators DeCoite, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

Representatives Lowen, Nakashima, Kitagawa, Tam, and Ward.

Managers on the part of the House.

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

Conf. Com. Rep. 134-24 on H.B. No. 2743

The purpose of this measure is to:

- (1) Authorize the counties to designate sewer improvement districts;
- (2) Authorize the counties to assess a cesspool pollution fee on real properties containing a cesspool, beginning July 1, 2025;
- (3) Authorize each county to establish a county cesspool closure and mitigation special fund;
- (4) Authorize the counties to use cesspool pollution fee revenues or other revenues, including real property tax revenues, for certain activities that eliminate, reduce, or mitigate the impacts of cesspools, including the expansion of county sewer systems and the issuance of grants and low-interest loans to property owners; and
- (5) Require and appropriate funds for the University of Hawaii Water Resources Research Center and the University of Hawaii Sea Grant College Program to develop an overlay with the Hawaii Cesspool Prioritization Tool to identify specific priority areas in which the county sewer system or other centralized treatment system could most feasibly be expanded or constructed to reduce or eliminate cesspools before January 1, 2050.

Your Committee on Conference has amended this measure by:

- (1) Deleting all content except for the required development of an overlay with the Hawaii Cesspool Prioritization Tool and associated appropriation;
- (2) Inserting an appropriation amount of \$350,814 for development of the overlay;
- (3) Changing the effective date to July 1, 2024; 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. 2743, 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. 2743, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, San Buenaventura, McKelvey, Lee, and Rhoads.

Managers on the part of the Senate.

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

Representatives Lowen, Ichiyama, Poepoe, M. Mizuno, Nakamura, and Ward.

Managers on the part of the House.

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

Conf. Com. Rep. 135-24 on H.B. No. 2224

The purpose of this measure is to establish and appropriate funds for:

- (1) A comprehensive long-term care plan that incorporates certain essential components of long-term care services; and
- (2) An unspecified number of long-term care planner positions within the Executive Office on Aging to oversee the development and implementation of the long-term care plan.

Your Committee on Conference has amended this measure by:

- (1) Removing the appropriation to establish the comprehensive long-term care plan;
- (2) Inserting an appropriation amount of \$79,872 to establish and fund one full-time equivalent long-term care planner position;
- (3) Changing the effective date to July 1, 2024; 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. 2224, 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. 2224, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Aquino, and Awa.

Managers on the part of the Senate.

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

Representatives Marten, Chun, Amato, Ilagan, Kobayashi, and Garcia.

Managers on the part of the House.

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

Conf. Com. Rep. 136-24 on H.B. No. 1533

The purpose of this measure is to increase the amount of death benefits paid by the Department of Human Services to cover the cremation and disposition costs for a deceased person who was eligible for medical or financial assistance at the time of the person's death and whose body is unclaimed.

Your Committee on Conference has amended this measure by:

- (1) Changing the death benefits payment from an unspecified amount to \$1,600;
- (2) Inserting an appropriation amount of \$277,600 to cover the increased costs for the death benefits paid by the Department of Human Services;
- (3) Changing the effective date to July 1, 2024; 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. 1533, 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. 1533, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Moriwaki, and Awa.

Managers on the part of the Senate.

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

Representatives Marten, Nishimoto, Amato, Kobayashi, and Garcia.

Managers on the part of the House.

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

Conf. Com. Rep. 137-24 on H.B. No. 1148

The purpose of this measure is to appropriate funds to establish one temporary full-time equivalent mental health technician certificate competence program coordinator position.

Your Committee on Conference has amended this measure by:

- (1) Replacing the appropriation for the establishment of one temporary full-time equivalent mental health technician certificate of competence program coordinator with one temporary full-time equivalent faculty instructor position;
- (2) Adding an appropriation for the establishment of one temporary full-time equivalent faculty outreach position;
- (3) Inserting an appropriation amount of \$210,150 to support the statewide expansion of the University of Hawaii Windward Community College's mental health related programs, to be allocated as follows:
 - (A) \$75,000 for the temporary full-time equivalent faculty instructor position;
 - (B) \$75,000 for the temporary full-time equivalent faculty outreach position; and
 - (C) \$60,150 for the scholarship program, the granting of scholarships, and other necessary administrative costs;
- (4) Changing its effective date to July 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. 1148, 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. 1148, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Kim, and Shimabukuro.

Managers on the part of the Senate.

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

Representatives Marten, Kitagawa, Amato, Takenouchi, and Garcia.

Managers on the part of the House.

Ayes, 5; Ayes with Reservations (Garcia). Noes, none. Excused, none.

Conf. Com. Rep. 138-24 on H.B. No. 2430

The purpose of this measure is to establish and appropriate funds for the Summer Electronic Benefits Transfer for Children Program.

Your Committee on Conference has amended this measure by:

- (1) Inserting appropriation amounts of \$53,500 for the Department of Education and \$2,050,000 for the Department of Human Services for the Summer Electronic Benefits Transfer of Children Program, including one full-time equivalent Program Specialist position for each department;
- (2) Removing language requiring the Department of Human Services to comply with the State's procurement codes when contracting with providers;
- (3) Changing the effective date to upon approval, with the appropriations to take effect on July 1, 2024; 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. 2430, 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. 2430, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Marten, Takenouchi, Amato, and Garcia.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 139-24 on H.B. No. 2801

The purpose of this measure is to:

- (1) Repeal the authority for counties to administer commercial property assessed financing programs and delegate all existing administrative responsibilities of the counties under the commercial property assessed financing program to the Hawaii Green Infrastructure Authority; and
- (2) Allow condominiums to be eligible for commercial property assessed financing.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to July 1, 2024; 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. 2801, 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. 2801, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Wakai, Richards, and Awa.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Awa).

Representatives Nakashima, Kitagawa, Nishimoto, Tam, and Pierick.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Nishimoto).

Conf. Com. Rep. 140-24 on H.B. No. 2742

The purpose of this measure is to:

- (1) For tenancies subject to eviction moratoria under emergency proclamations issued by the Governor and relating to wildfires, when it becomes legally permissible to terminate residential tenancy for nonpayment of rent:
 - (A) Extend the notice period for summary possession proceedings from five days to fifteen days for failure to pay rent;
 - (B) Require landlords to provide the notice to mediation centers;
 - (C) Require landlords to enter into mediation if scheduled by a tenant, which will delay when a landlord may file an action for summary possession except in cases where a tenant cancels the mediation or does not appear; and
 - (D) Restrict when landlord remedies are available depending on the amount of rent due;
- (2) Reiterate that eviction moratoria under the various emergency proclamations issued by the Governor may continue until terminated by a proclamation by the Governor or expiration of the proclamation; and
- (3) Appropriate funds for the Judiciary to contract for mediation services.

The pre-litigation eviction mediation process outlined in this measure is intended for survivors of the August 8, 2023, Maui wildfires who may be struggling to make rental payments as a result of this tragedy.

Your Committee on Conference has amended this measure by:

- (1) Specifying that a mediation center must contact the landlord or landlord's agent and tenant to schedule mediation within fifteen calendar days of receipt of the landlord's notice;
- (2) Specifying that if the tenant schedules mediation, the landlord and tenant are required to participate;
- (3) Specifying that the reiteration of the eviction moratoria applies to the eviction moratoria in effect as of July 1, 2024;
- (4) Inserting an appropriation amount of \$410,000 for the Judiciary to contract for mediation services for the purposes of this measure;
- (5) Changing the effective date to July 1, 2024;
- (6) Inserting a sunset date of December 31, 2026, or upon the one-year anniversary of the expiration date of the final eviction moratorium; 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. 2742, 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. 2742, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Rhoads, Hashimoto, and Awa.

Managers on the part of the Senate.

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

Representatives Nakashima, Kitagawa, Amato, Tam, and Alcos.

Managers on the part of the House.

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

Conf. Com. Rep. 141-24 on H.B. No. 2380

The purpose of this measure is to make an emergency appropriation out of the Mass Transit Special Fund.

Your Committee has amended this measure by inserting an appropriation amount of \$179,000,000.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2380, 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. 2380, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Inouye, and Elefante.

Managers on the part of the Senate.

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

Representatives Todd, Kila, Kitagawa, Miyake, and Matsumoto.

Managers on the part of the House.

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

Conf. Com. Rep. 142-24 on H.B. No. 2376

The purpose of this measure is to make transfers of previously appropriated funds between certain Department of Transportation programs to cover anticipated operating shortfalls due to the limited ability of departments to transfer funds between programs.

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. 2376, 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. 2376, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Hashimoto, and Inouye.

Managers on the part of the Senate.

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

Representatives Kitagawa, Kila, Lamosao, and Alcos.

Managers on the part of the House.

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

Conf. Com. Rep. 143-24 on H.B. No. 2377

The purpose of this measure is to make transfers of previously appropriated funds between certain Department of Public Safety/Corrections and Rehabilitation programs to cover anticipated operating shortfalls due to the limited ability of departments to transfer funds between programs.

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. 2377, 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. 2377, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Wakai, and Fevella.

Managers on the part of the Senate.

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

Representatives Kitagawa, Nishimoto, Yamashita, and Alcos.

Managers on the part of the House.

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

Conf. Com. Rep. 144-24 on H.B. No. 1801

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 references to applicable dates and measure numbers that are cited in the measure;
- (3) Making it effective upon approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1801, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1801, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Lee, and Fevella.

Managers on the part of the Senate.

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

Representatives Yamashita, Nishimoto, and Ward.

Managers on the part of the House.

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

Conf. Com. Rep. 145-24 on S.B. No. 3116

The purpose of this measure is to:

- (1) Specify that the priority of selection for Preschool Open Doors Program participation applies only during the priority application period between February 1 and the start of each program year; and
- (2) Specify that applications received after the priority application period shall be processed on a first-come, first-served basis.

Your Committee on Conference finds that the Preschool Open Doors Program provides key financial assistance to enable children to attend preschool and serves certain three- and four-year old children with priority extended to certain categories of children. However, existing law does not specify whether the priority of selection to participate in the Preschool Open Doors Program applies year-around or during a limited period of time. Your Committee on Conference further finds that establishment of a priority application period would ensure that the Preschool Open Doors Program maximizes the funding appropriated to the Program to serve the greatest number of three- and four-year-old children in a timely fashion. This measure preserves the prioritization process while also expediting the review and approval of applications to allow faster access to Preschool Open Doors Program subsidies and increase participation in this school readiness program.

Your Committee on Conference has amended this measure by:

- (1) Inserting language to require the Department of Human Services to adopt rules, pursuant to chapter 91, Hawaii Revised Statutes, to determine a child's underserved or at risk status, if not duplicative of the rules already adopted under chapter 17-799, Hawaii Administrative Rules;

- (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. 3116, 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. 3116, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Marten, Morikawa, Chun, Ilagan, Kobayashi, and Garcia.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 146-24 on S.B. No. 2284

The purpose of this measure is to:

- (1) Establish a two-year program at the University of Hawaii to develop a wildfire forecast system for the State using artificial intelligence; and
- (2) Appropriate funds.

Your Committee on Conference finds that the threat of wildfires has increased in recent years, necessitating proactive evacuation planning, risk mitigation, and updated data in the event of natural disasters. By forecasting wildfires, the State can streamline rapid response and suppression efforts focused on specific community needs while ensuring first responders are adequately informed and prepared. Therefore, this measure will enhance emergency management and wildfire mitigation preparedness procedures in the State to help protect communities against future emergencies.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$1,000,000 for fiscal year 2024-2025 for the development of the wildfire forecast system;
- (2) Inserting an effective date of July 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. 2284, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2284, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kim, Wakai, Shimabukuro, Hashimoto, and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 2 (Hashimoto, Fevella).

Representatives Ichiyama, Todd, Poepoe, La Chica, M. Mizuno, and Souza.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 147-24 on S.B. No. 3153

The purpose of this measure is to:

- (1) Establish the Dam and Appurtenance Improvement or Removal Grant Program Special Fund to receive moneys for the Dam and Appurtenance Improvement or Removal Grant Program; and
- (2) Appropriate funds for the Dam and Appurtenance Improvement or Removal Grant Program.

Your Committee on Conference finds that many private dams across the State are in disrepair and many private dam owners do not have the resources to conduct the necessary repairs or removal of their dams. Your Committee on Conference further finds that dams provide many public benefits. Therefore, it is in the public's best interest for the Legislature to provide financial assistance to private dam owners. This measure will assist the Department of Land and Natural Resources in providing funds to qualifying dam owners.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation of \$10,000,000 from the general fund to be deposited into the Dam and Appurtenance Improvement or Removal Grant Program Special Fund as seed funding for the purposes of the Dam and Appurtenance Improvement or Removal Grant Program;
- (2) Inserting an appropriation of \$10,000,000 from the Dam and Appurtenance Improvement or Removal Grant Program Special Fund to be expended by the Department of Land and Natural Resources for the Dam and Appurtenance Improvement or Removal Grant Program;
- (3) Inserting an effective date of July 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. 3153, 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. 3153, S.D. 2, H.D. 1, C.D. 1.

Signed by the Senate President and Chairs on behalf of the Committee.

Senators Inouye, DeCoite, Elefante, and Fevella.

Managers on the part of the Senate.

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

Representatives Ichiyama, Poepoe, Kahaloa, Morikawa, and Souza.

Managers on the part of the House.

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

Conf. Com. Rep. 148-24 on S.B. No. 1170

The purpose of this measure is to require the counties to issue affordable housing credits for affordable housing units that are constructed under the various programs of the Hawaii Housing Finance and Development Corporation.

Your Committee on Conference finds that the current high interest rate environment is negatively impacting the Hawaii Housing Finance and Development Corporation's production of affordable housing in the State. To promote housing production at the county level, this measure will provide a pathway for housing to be built at a lower cost and provides a means for developers to fulfill their affordable housing requirements with less risk and increase the State's housing supply.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have allowed a county to impose a geographic constraint on the transfer of affordable housing credits with a minimum radius of five miles by public road;
- (2) Inserting language allowing the credits to be applied to satisfy up to fifty percent of the affordable housing obligations imposed by the county for each market-priced residential or non-residential development, unless the county allows for more than fifty percent as provided by county ordinance, rules, or any memoranda of agreement between the county and the Hawaii Housing Finance and Development Corporation;
- (3) Inserting language requiring that, prior to the issuance of an affordable housing credit, an agreement, including affordable housing-related agreements between a county or the Hawaii Housing Finance and Development Corporation and an eligible developer, shall be executed and include language requiring:
 - (A) A new and sequential identification number of at least four digits in length for each affordable housing credit to be issued within each county for tracking purposes;
 - (B) An agreement to be recorded on title of at least one parcel or tax map key of the originating housing project, as defined in section 201H-1, Hawaii Revised Statutes; and
 - (C) The prompt amendment of an agreement when an affordable housing credit originally generated by a housing project is sold, transferred, or utilized to create an easily auditable trail of ownership;
- (4) Changing the sunset date from June 30, 2031, to July 1, 2031;
- (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. 1170, 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. 1170, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Chang, Kanuha, and Hashimoto.

Managers on the part of the Senate.

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

Representatives Evslin, Aiu, Miyake, Morikawa, and Matsumoto.

Managers on the part of the House.

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

Conf. Com. Rep. 149-24 on S.B. No. 3202

The purpose of this measure is to:

- (1) Prohibit private covenants for residentially zoned lots within an urban district from including certain limitations or restrictions;
- (2) Require the director of the county agency responsible for land use to review and act on any application for subdivision, consolidation, or resubdivision of certain parcels within the state urban land use district; and
- (3) Amend the calculation of impact fees for certain developments.

Your Committee on Conference finds that the shrinking population in the State is a result of the inequitable access to housing. Promoting higher density development in urban areas can aid in addressing the State's shortfall of housing units and reduce the pressure to convert agricultural and conservation lands into urban uses. Therefore, this measure promotes higher density, compact development, and the efficient use of the State's limited lands that are suitable for residential development.

Your Committee on Conference has amended this measure by:

- (1) Inserting as a new part I language establishing a new section in chapter 46, Hawaii Revised Statutes, to require the counties, no later than December 31, 2026, to either implement a countywide ordinance allowing for two accessory dwelling units per residentially zoned lot or using their zoning maps to allow two accessory dwelling units on certain lots, subject to certain restrictions;
- (2) Clarifying that no private covenant for a residentially zoned lot within an urban district recorded after the effective date of this measure shall limit the:
 - (A) Number of accessory dwelling units on that residentially zoned lot below the amount allowed pursuant to part I of this measure; or
 - (B) Long-term rental of residential units on that residentially zoned lot;
- (3) Amending the definition of "residentially zoned lot";
- (4) Clarifying that the administrative authority to accept, reject, and approve, or deny any application for subdivision, consolidation, or resubdivision of a parcel of land that has been fully zoned for residential use within the state urban district shall be vested with the director of the county agency responsible for land use or a single county officer designated by ordinance, provided that the parcel is not on important agricultural lands, on certain wetlands, within a floodplain district, on a habitat for protected or endangered species, within a state historic district, or within a lava zone, and other certain conditions;
- (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. 3202, 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. 3202, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs and Speaker of the House of Representatives on behalf of the Committee.

Senators Chang, Lee, and Hashimoto.

Managers on the part of the Senate.

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

Representatives Evslin, Ichiyama, Tarnas, Kila, Morikawa, Todd, and Matsumoto.

Managers on the part of the House.

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

Conf. Com. Rep. 150-24 on S.B. No. 1035

The purpose of this measure is to exempt from the general excise tax amounts received by a hospital, infirmary, medical clinic, health care facility, or pharmacy, or a medical or dental practitioner, for health care-related goods and services purchased under Medicaid, Medicare, or TRICARE.

Your Committee on Conference finds that, under the existing general excise tax law, there is an incongruity in the way medical service providers are treated. Your Committee on Conference also finds 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 Committee on Conference further finds 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 Committee on Conference has amended this measure by:

- (1) Changing the effective date from June 30, 3000, to January 1, 2026; and
- (2) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1035, 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. 1035, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Hashimoto, and Keohokalole.

Managers on the part of the Senate.

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

Representatives Takenouchi, Holt, Lamosao, Garrett, Morikawa, and Garcia.

Managers on the part of the House.

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

Conf. Com. Rep. 151-24 on H.B. No. 2042

The purpose of this measure is to appropriate funds for the Department of Health to contract for the provision of youth mental health and wellness services to address the mental health and wellness needs of youth in the State.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$900,000;
- (2) Changing the effective date to July 1, 2024; 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. 2042, 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. 2042, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Aquino, and Shimabukuro.

Managers on the part of the Senate.

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

Representatives Takenouchi, Nishimoto, Amato, Marten, and Garcia.

Managers on the part of the House.

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

Conf. Com. Rep. 152-24 on H.B. No. 1830

The purpose of this measure is to:

- (1) Beginning July 1, 2026, establish provisional or associate-level licensure requirements and insurance reimbursement allowances for marriage and family therapists, mental health counselors, and psychologists;
- (2) Authorize associate psychologists who possess a provisional license to sit for the licensing examination before completing certain supervised experience requirements;
- (3) Authorize insurance reimbursements for services provided after July 1, 2026, by a supervised social work intern, in certain circumstances; and
- (4) Appropriate funds from the Compliance Resolution Fund.

Your Committee on Conference has amended this measure by:

- (1) Authorizing the Department of Commerce and Consumer Affairs to use fees collected for provisional or associate-level licenses to defray the costs incurred by the Department for the operations of the marriage and family therapists and mental health counselors licensing programs and the regulation of psychologists by the Board of Psychology;
- (2) Inserting appropriation amounts out of the Compliance Resolution Fund of \$73,406 for the establishment of one full-time equivalent Office Assistant V position and \$75,000 for updates to the Professional and Vocational Licensing Division's internal databases;
- (3) Changing the effective date to July 1, 2024; 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. 1830, 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. 1830, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, San Buenaventura, Aquino, and Awa.

Managers on the part of the Senate.

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

Representatives Takenouchi, Sayama, Chun, Amato, and Garcia.

Managers on the part of the House.

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

Conf. Com. Rep. 153-24 on H.B. No. 982

The purpose of this measure is to increase:

- (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 amount of funds from the Tobacco Master Settlement Agreement annual payment that may be deposited into the Tobacco Enforcement Special Fund.

Your Committee on Conference has amended this measure by:

- (1) Deleting language increasing the Cigarette Tax Stamp Fee and the percentage of that fee allotted to the Tobacco Enforcement Special Fund;
- (2) Changing the effective date to July 1, 2024; 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. 982, 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. 982, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Kanuha, and Rhoads.

Managers on the part of the Senate.

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

Representatives Takenouchi, Tarnas, Kitagawa, La Chica, and Garcia.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (La Chica).

Conf. Com. Rep. 154-24 on H.B. No. 2619

The purpose of this measure is to appropriate funds to the Department of Agriculture for programs and positions in agricultural biosecurity.

Your Committee on Conference has amended this measure by:

- (1) Inserting a preamble related to the Department of Agriculture's role in the control and eradication of invasive species in the State;
- (2) Requiring the Department of Agriculture to:
 - (A) Lead and coordinate the State's invasive pest control and eradication biosecurity efforts, including engaging in memorandums of understanding with interagency partners and private organizations;
 - (B) In conjunction with certain agencies and entities, identify best practices for the treatment of certain pests;
 - (C) Post certain data and information on its website;
 - (D) Document certain geographic information system database information;
 - (E) Provide notice to the Department's Pesticides Branch prior to usage of pesticides in the course of controlling pests;
 - (F) Include certain information related to advancing the State's invasive pest control and eradication biosecurity efforts in its annual report to the Legislature; and
 - (G) Report on programs and positions funded by this measure; report on expenditures from and uses of the Pest Inspection, Quarantine, and Eradication Fund to facilitate the program's conversion to general funds; and document contracts for invasive species response;
- (3) Inserting an appropriation amount of \$19,780,660 to the Department of Agriculture for programs and positions in agricultural biosecurity, amending the list of programs and positions, and exempting certain positions from civil service;
- (4) Inserting language that appropriates \$200,000 to the counties as a grant-in-aid, subject to a county match, for the implementation of feral chicken control programs;
- (5) Changing the effective date to July 1, 2024; 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. 2619, 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. 2619, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Dela Cruz, and Richards.

Managers on the part of the Senate.

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

Representatives Gates, Yamashita, Aiu, Kahaloa, and Ward.

Managers on the part of the House.

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

Conf. Com. Rep. 155-24 on H.B. No. 1953

The purpose of this measure is to require the Judicial Council to conduct a comprehensive review of the Hawaii Penal Code and recommend necessary amendments.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$10,000 for the review of the Hawaii Penal Code;
- (2) Changing the effective date to July 1, 2024; 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. 1953, 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. 1953, H.D. 1, S.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, 2. Noes, none. Excused, 1 (Awa).

Representatives Tarnas, Nishimoto, Holt, Takayama, and Souza.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 156-24 on H.B. No. 2074

The purpose of this measure is to appropriate funds for the establishment of three full-time equivalent Kaiapuni education curriculum specialist II positions and ten full-time equivalent Kaiapuni classroom teacher positions.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$3,544,683 for the establishment of the three full-time equivalent Kaiapuni education curriculum specialist II positions and ten full-time equivalent Kaiapuni classroom teacher positions;
- (2) Specifying that the appropriation shall also be used for Kaiapuni programs;
- (3) Changing the effective date to July 1, 2024; 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. 2074, 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. 2074, H.D. 2, S.D. 1, 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, Morikawa, Amato, Kahaloa, Kapela, and Garcia.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 157-24 on S.B. No. 2257

The purpose of this measure is to authorize the Hawaii Teacher Standards Board to consider qualified individuals with at least an associate's degree or high school diploma with comparable education and coursework, industry experience, and content expertise to teach career and technical education courses.

Your Committee on Conference finds that career and technical education offers students experiential learning opportunities to prepare them for higher education and future careers. This measure provides opportunities for experienced industry professionals to become instructors to teach career and technical education courses to help fill critical teacher vacancies while ensuring that instructors possess the same or a higher level of knowledge as currently qualified teachers.

Your Committee on Conference has amended this measure by inserting an effective 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. 2257, S.D. 3, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2257, S.D. 3, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Woodson, Morikawa, La Chica, M. Mizuno, and Garcia.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 158-24 on S.B. No. 2497

The purpose of this measure is to:

- (1) Repeal the provision that made references to the base amount in the Internal Revenue Code inapplicable to the Research Activities Tax Credit and allowed credits for all qualified research expenses to be taken without regard to previous years' expenses;
- (2) Narrow the qualifying criteria for research activities tax credits to applicants who are small businesses registered in the State;
- (3) Amend the maximum amount of tax credits that can be certified per year; and
- (4) Extend the sunset date of the research activities tax credit to December 31, 2029.

Your Committee on Conference finds that research activities help to stimulate the State's economy and create beneficial employment opportunities for residents. Currently, the State's Research Activity Tax Credit is scheduled to expire after this taxable year. This measure extends the tax credit through 2029 to further support distribution of tax credits to qualified companies and to stimulate the local economy and create quality jobs in the State.

Your Committee on Conference has amended this measure by:

- (1) Removing language that would have amended the maximum amount of research activities tax credits that can be certified per year;
- (2) Clarifying that "small business" means a company with no more than five hundred employees;
- (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. 2497, 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. 2497, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Holt, Lamosao, Garrett, Kong, and Pierick.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Pierick).

Conf. Com. Rep. 159-24 on S.B. No. 2305

The purpose of this measure is to:

- (1) Establish a Silver Alert Program within the Department of Law Enforcement to help locate and safeguard missing persons who are sixty-five years of age or older, cognitively impaired, or developmentally disabled; and
- (2) Appropriate funds.

Your Committee on Conference finds that more than half of states nationwide have established silver alert programs to help identify missing individuals with cognitive impairments, developmental disabilities, or who are the elderly. This measure will help law enforcement and provide immediate information to the public, facilitate a prompt response, and enhance the chances of locating an individual with a developmental disability, cognitive impairment, or who is sixty-five years of age or older.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$250,000 for the Silver Alert Program;
- (2) Inserting an effective date of July 1, 2024; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2305, 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. 2305, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Marten, Tarnas, Chun, Amato, Takayama, and Garcia.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 160-24 on S.B. No. 2070

The purpose of this measure is to, until July 1, 2027:

- (1) Exempt Department of Education purchases for career and technical education goods and services from the State Procurement Code;

- (2) Require the Department of Education to acquire three verbal or written quotes for career and technical education purchases of not more than \$100,000;
- (3) Require awards of over \$2,500 for career and technical education purchases to comply with certain statutory provisions regarding offerors; and
- (4) Require awards of over \$500,000 for career and technical education purchases to be approved by the Superintendent of Education.

Your Committee on Conference finds that career and technical education opportunities provide students with hands-on learning experiences in various emerging and in-demand industries and allow students to directly learn skills using proper industry equipment. This measure ensures timely access to critical career and technical education materials and equipment to provide students with high quality educational experiences and develop skills to support success in their future careers.

Your Committee on Conference has amended this measure by:

- (1) Requiring the Department of Education to acquire three written quotes for purchases that exceed \$100,000;
- (2) Deleting language that would have required the Department of Education to obtain three verbal quotes for purchases of no more than \$100,000;
- (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. 2070, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2070, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 161-24 on S.B. No. 3305

The purpose of this measure is to require all public charter schools that exclusively offer prekindergarten programs to adhere to the public charter school law, with certain exceptions.

Your Committee on Conference finds that prekindergarten-only public charter school programs provide the State's youngest keiki with critical educational opportunities. This measure will expand access to early learning programs while ensuring institutional adherence to applicable statutory requirements.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3305, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3305, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Woodson, Tarnas, Morikawa, Martinez, M. Mizuno, Takayama, and Garcia.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, 2 (Takayama, Tarnas).

Conf. Com. Rep. 162-24 on S.B. No. 3087

The purpose of this measure is to expand access to early learning programs on other state properties and public lands besides Department of Education public school campuses.

Your Committee on Conference finds that expanding access to early learning programs for Hawaii's youngest keiki is of paramount importance to the State. Therefore, this measure authorizes the expansion of early learning programs to locations besides Department of Education public school campuses to increase availability and provide all students with an opportunity to commence their educational careers.

Your Committee on Conference has amended this measure by:

- (1) Authorizing early learning programs to be established in available public buildings, rather than public properties; 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. 3087, 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. 3087, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 163-24 on S.B. No. 2401

The purpose of this measure is to:

- (1) Appropriate funds to each county as a grant—in—aid, subject to a county match, for the implementation of feral chicken control programs; and
- (2) Appropriate funds to the Department of Health for a feeding of feral animals education campaign.

Your Committee on Conference finds that feral chickens and roosters are a persistent nuisance, particularly in suburban and urban residential communities. Feral chickens damage gardens and food crops, harm native plants and resources, crow at all times of day and night, and leave unsanitary droppings. This measure will protect the State's ecosystem and natural resources and the health and safety of its residents by requiring the Department of Agriculture to work with each county to implement feral chicken control programs and feeding of feral animals education campaigns.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have made an unspecified appropriation as a grant-in-aid, subject to a county match, to each county for the implementation of feral chicken control programs;
- (2) Deleting language that would have made an unspecified appropriation to the Department of Health for a feeding of feral animals education campaign;
- (3) Inserting language requiring the Department of Agriculture to work with each county to implement feral chicken control programs and feeding of feral animals education campaign in each county;
- (4) Inserting language requiring each county to match the funds expended by the Department of Agriculture for the implementation of the feral chicken control program and feeding of feral animals education campaign in that county;
- (5) Amending section 1 to reflect its amended purpose;
- (6) Making it effective on July 1, 2024; 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. 2401, 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. 2401, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 164-24 on S.B. No. 3279

The purpose of this measure is to:

- (1) Establish within the Office of Wellness and Resilience the State of Well-Being Project to assess and enhance Tier 1 and Tier 2 mental health support services for all key stakeholder communities across the State; and
- (2) Appropriate funds to implement the State of Well-Being Project, including funds to establish full-time equivalent mental health specialist positions within the Office of Wellness and Resilience.

Your Committee on Conference finds that the prevalence of both acute and chronic mental illnesses has been on the rise in the State over the past two decades and that it is critically important to have a tiered approach to comprehensively address statewide mental health concerns. This measure establishes the State of Well-Being Project to enhance Tier 1 and Tier 2 mental health support services for key stakeholder communities across the State and promote a safe and healthy State for all citizens.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have provided specific examples of mental health support services in the statutory definitions of Tier 1 mental health support and Tier 2 mental health support;
- (2) Inserting an appropriation amount of \$876,000 or so much thereof as may be necessary for fiscal year 2024-2025 for the establishment and implementation of the state of well-being project, to be expended as follows:
 - (A) \$475,000 to establish six full-time equivalent (6.0 FTE) mental health specialist positions within the Office of Wellness and Resilience; and
 - (B) \$401,000 for the Office of Wellness and Resilience to implement this measure;
- (3) Inserting an effective date of July 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. 3279, 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. 3279, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Moriwaki, and Awa.

Managers on the part of the Senate.

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

Representatives Marten, Belatti, Takenouchi, Kila, Lamosao, and Garcia.

Managers on the part of the House.

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

Conf. Com. Rep. 165-24 on S.B. No. 2837

The purpose of this measure is to:

- (1) Temporarily authorize the Oahu Regional Health Care System to oversee the operations and management of the proposed Maui State Veterans Home; and
- (2) Establish a timeline and process whereby permanent oversight of the proposed Maui State Veterans Home will be reassigned to the Maui Regional Health Care System.

Your Committee on Conference finds that although the state Department of Defense is currently planning for the construction of the Maui State Veterans Home, the management, operation, and staffing of the Maui State Veterans Home should be placed with a state agency that is able to manage a long-term care facility.

Your Committee on Conference has amended this measure by:

- (1) Deleting provisions that would have:
 - (A) Temporarily placed ownership and oversight of the Maui State Veterans Home with the Oahu Regional Health Care System;
 - (B) Required the Maui Regional Health Care System to secure ownership of the land of, and assume permanent oversight over, the Maui State Veterans Home; and
 - (C) Required reports to the Legislature;
- (2) Statutorily authorizing the Oahu Regional Health Care System to include the Maui State Veterans Home;
- (3) Requiring that no later than June 30, 2027, the Maui State Veterans Home shall be assimilated into a state agency having a Maui affiliation, in a manner and to an extent that may be negotiated between the Oahu Regional Health Care System or a state agency having a Maui affiliation and the state Department of Defense;
- (4) Clarifying that no liabilities of the Maui State Veterans Home that exist at the time the Maui State Veterans Home is assimilated shall become liabilities of the agency into which the Maui State Veterans Home is assimilated;
- (5) Clarifying that the assimilation shall not be affected by the amendments made to section 323F-2(b), Hawaii Revised Statutes, by Act 212, Session Laws of Hawaii 2021;
- (6) Changing the effective date to make the measure effective upon its approval; and
- (7) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2837, 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. 2837, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Hashimoto, and Keohokalole.

Managers on the part of the Senate.

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

Representatives Takenouchi, Nakashima, Kitagawa, Amato, and Garcia.

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

Conf. Com. Rep. 166-24 on H.B. No. 1932

The purpose of this measure is to:

- (1) Authorize the Department of Transportation to acquire and hold title to real, personal, or mixed property for certain purposes;
- (2) Amend the definition of “public lands” to exclude lands to which the Department of Transportation holds title; and
- (3) Authorize the Department of Transportation to expend funds to directly acquire real property for projects relating to climate mitigation and adaptation and visual and noise buffer zones and barriers.

Your Committee on Conference has amended this measure by:

- (1) Removing language subjecting the disposal of lands held by the Department of Transportation to the same requirements for the disposal of submerged or reclaimed lands;
- (2) Inserting language granting the Director of Transportation the same powers as the Board of Land and Natural Resources for functions subject to Chapter 171, Hawaii Revised Statutes;
- (3) Inserting language requiring a department or agency with control of state lands to convey title or lease of those lands to the Department of Transportation upon request by the Department of Transportation and subject to approval by the Governor;
- (4) Clarifying that lands set aside by the Governor for the Department of Transportation or lands leased by the Department of Transportation are excluded from the definition of “public lands”;
- (5) Changing the effective date to July 1, 2024; 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. 1932, 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. 1932, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Todd, Tarnas, Kila, Aiu, Evslin, and Matsumoto.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, 1 (Matsumoto).

Conf. Com. Rep. 167-24 on H.B. No. 1763

The purpose of this measure is to:

- (1) Prohibit the Hawaii Housing Finance and Development Corporation from forgiving any loan made from the Rental Housing Revolving Fund unless the Corporation forecloses on the project;
- (2) Amend the permitted uses of and priority for which monies in the Rental Housing Revolving Fund are to be used;
- (3) Repeal the authorization to use the Rental Housing Revolving Fund to provide grants; and
- (4) Require the Hawaii Housing Finance and Development Corporation to submit a report to the Legislature on plans to revolve funds back into the Rental Housing Revolving Fund.

Your Committee on Conference has amended this measure by:

- (1) Defining “efficiency” and “feasibility”;
- (2) Expanding the permitted uses of the Rental Housing Revolving Fund to include credit enhancement, rather than credit enhancement for construction loans, and gap financing;
- (3) Clarifying that the rental housing projects that are eligible to receive a Rental Housing Revolving Fund loan are those that demonstrate project readiness, efficiency, and feasibility, with priority given to projects with a perpetual affordability commitment;
- (4) Changing the effective date to July 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. 1763, 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. 1763, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Chang, Hashimoto, and Kanuha.

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

Representatives Evslin, Aiu, Garrett, Miyake, Onishi, and Matsumoto.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 168-24 on H.B. No. 2790

The purpose of this measure is to require the Hawaii Housing Finance and Development Corporation to submit a report analyzing the feasibility of continuing to fund the operations of the housing loan and mortgage program.

Your Committee on Conference has amended this measure by changing the effective date to 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 H.B. No. 2790, 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. 2790, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Evslin, Aiu, Nishimoto, and Matsumoto.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (Nishimoto).

Conf. Com. Rep. 169-24 on H.B. No. 2404

The purpose of this measure is to:

- (1) Amend the amounts for the income tax brackets and standard deduction amounts for each filing status for taxable years beginning after December 31, 2023; and
- (2) For taxable years beginning after December 31, 2024, annually adjust the income tax brackets and standard deduction amounts by a cost-of-living adjustment factor.

Your Committee on Conference has amended this measure by:

- (1) Removing the annual adjustment for taxable years beginning after December 31, 2024, to income tax brackets and standard deduction amounts by a cost-of-living adjustment factor;
- (2) Amending the standard deduction amounts for each filing status for taxable years 2024, 2026, 2028, 2030, and 2031;
- (3) Amending the income tax brackets for each filing status for taxable years 2025, 2027, and 2029;
- (4) Making it effective 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. 2404, 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. 2404, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Yamashita, Chun, Kitagawa, Lamosao, Takenouchi, and Ward.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, 1 (Takenouchi).

Conf. Com. Rep. 170-24 on S.B. No. 116

The purpose of this measure is to authorize the issuance of special number plates to commemorate Duke Kahanamoku.

Your Committee on Conference finds 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. This measure will honor Duke Kahanamoku through the issuance of a commemorative special license plate.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the special number plate design contains words, images, or both, not to exceed four and a half inches in height by four inches in width; and
- (2) 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. 116, 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. 116, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Wakai, and Shimabukuro.

Managers on the part of the Senate.

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

Representatives Tam, Kila, Martinez, and Alcos.

Managers on the part of the House.

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

Conf. Com. Rep. 171-24 on S.B. No. 3220

The purpose of this measure is to:

- (1) Transfer the enforcement of the Motor Carrier Law from the Public Utilities Commission to the Department of Transportation;
- (2) Make conforming amendments; and
- (3) Appropriate funds.

Your Committee on Conference finds that although the Public Utilities Commission is responsible for the enforcement of the Motor Carrier Law under existing law, the Department of Transportation, which has jurisdiction over the State's facilities and infrastructure in all modes of transportation (land, air, and water), would be better-suited to regulate and enforce the Motor Carrier Law, as the regulation of vehicles over the public highways would more naturally fall under its purview. Therefore, this measure transfers jurisdiction over the enforcement of the Motor Carrier Law to the Department of Transportation for the purpose of improving administrative efficiency.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have appropriated funds;
- (2) Inserting language requiring the transfer of enforcement of the Motor Carrier Law from the Public Utilities Commission to the Department of Transportation to be completed before December 31, 2024;
- (3) Inserting an effective date of July 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. 3220, 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. 3220, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Keohokalole, and Kanuha.

Managers on the part of the Senate.

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

Representatives Nakashima, Kila, Amato, and Pierick.

Managers on the part of the House.

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

Conf. Com. Rep. 172-24 on S.B. No. 2443

The purpose of this measure is to:

- (1) Establish the Automated Speed Enforcement Systems Program, to be implemented by the State in only those locations where a photo red light imaging detector system has been implemented;
- (2) Create a new offense of noncompliance with maximum speed limit under automated speed enforcement system; and
- (3) Appropriate funds.

Your Committee on Conference finds that speed safety cameras are a proven method to deter speeding and are recommended by the National Transportation Safety Board and the Federal Highway Administration for local and state adoption. Your Committee on Conference further finds that an Automated Speed Enforcement Systems Program will reduce speed-related traffic fatalities throughout the State.

Your Committee on Conference has amended this measure by:

- (1) Inserting language that prohibits citations to be issued for vehicles driving not less than five miles per hour over the posted maximum speed limit;
- (2) Inserting language that authorizes the Department of Transportation to raise the minimum threshold for issuance of a citation pursuant to rules adopted pursuant to chapter 91, Hawaii Revised Statutes;

- (3) Clarifying that photographs, microphotographs, video, or other recorded images produced by the automated speed enforcement system shall be prima facie evidence;
- (4) Clarifying that any photographs, microphotographs, video, or other recorded images evidencing a violation be available for inspection in any proceeding to adjudicate the liability for that violation;
- (5) Deleting the full-time equivalent positions for the administration of the Automated Speed Enforcement Systems Program;
- (6) Inserting an appropriation out of the State Highway Fund for the Automated Speed Enforcement Systems Program Special Fund;
- (7) Inserting an appropriation amount of \$5,000,000 out of the Automated Speed Enforcement Systems Program Special Fund for the purpose of ten radar devices and for the operation of the Automated Speed Enforcement Systems Program;
- (8) Inserting an effective date of July 1, 2024; 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. 2443, 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. 2443, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Todd, Tarnas, Kila, Miyake, and Matsumoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Tarnas).

Conf. Com. Rep. 173-24 on S.B. No. 2841

The purpose of this measure is to designate May 15 of each year as Water Safety Day.

Your Committee on Conference finds that between 2018 and 2022, drowning was the leading cause of death for children one to seventeen years of age in Hawaii. Accordingly, this measure will spread awareness of drowning and educate youth in becoming safer in and around the water by designating May 15 of each year as Water Safety Day.

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. 2841, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2841, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tam, Tarnas, Kitagawa, Ganaden, and Alcos.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 2 (Ganaden, Alcos).

Conf. Com. Rep. 174-24 on S.B. No. 3242

The purpose of this measure is to:

- (1) Require the Department of Transportation or county transportation agency having jurisdiction over roads, highways, or similar infrastructure to evaluate high-risk or dangerous corridors or intersections and plan strategies for mitigation; and
- (2) Provide that an engineering study is not required to be considered if the Department of Transportation or any county decreases maximum speed limits within one mile of a school.

Your Committee on Conference finds that serious motor vehicle accidents are a growing concern in the State where numerous crashes have occurred near schools, causing injuries and fatalities. This measure will help expedite safety improvements to dangerous areas to increase the safety of the State's roadways.

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. 3242, 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. 3242, S.D. 1, H.D. 1, C.D. 1.

Signed by the Senate President and Chairs on behalf of the Committee.

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

Representatives Todd, Tarnas, Kila, Miyake, and Matsumoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Matsumoto).

Conf. Com. Rep. 175-24 on S.B. No. 2240

The purpose of this measure is to:

- (1) Require and appropriate funds for the Office of Elections to file an application with the Electronic Registration Information Center, Inc., (ERIC) for the State to be admitted as a member of the organization;
- (2) Require the State and each county to use the information and services made available by ERIC to verify their voter registration rolls; and
- (3) Require the Office of Elections to request an appropriation from the Legislature, beginning fiscal year 2025—2026 and each fiscal year thereafter, for the State’s annual membership dues to ERIC.

Your Committee on Conference finds that ERIC, is a nonprofit organization that was formed to help states improve the accuracy of voter registration rolls by using secure data-matching tools. This measure will provide another tool for election officials to maintain the accuracy and integrity of the voter registration rolls by allowing election officials to compare the State’s voter registration file and driver license and identification card file with other member states.

Your Committee on Conference has amended this measure by:

- (1) Inserting legislative findings clarifying that part of the process for a state to be admitted as a member of ERIC is for that state to send mailers to its residents who have driver’s licenses but are not registered to vote, encouraging them to register to vote;
- (2) Inserting an appropriation amount of \$125,000 for the Office of Elections to prepare and file an application with ERIC, for the State to be admitted as a member of the organization, and for the Office of Elections to send mailers to all Hawaii residents who have driver’s licenses but are not registered to vote, encouraging them to register to vote;
- (3) Inserting an effective date of July 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. 2240, 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. 2240, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Nishimoto, Garrett, Holt, and Souza.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 176-24 on S.B. No. 2726

The purpose of this measure is to:

- (1) Require the Legislative Reference Bureau to conduct a study on condominium property regimes and the approaches used in certain other jurisdictions with respect to ombudsman programs, licensing for management, alternative dispute resolution, governmental regulation, owner education, and owner access to condominium documents;
- (2) Extend the deadline for the final report and the cease date for the Condominium Property Regime Task Force to June 30, 2026; and
- (3) Make an appropriation for the study.

Your Committee on Conference finds that the Condominium Property Regime Task Force established by Act 189, Session Laws of Hawaii 2023, requested the Legislature to task the Legislative Reference Bureau with studying and reporting on several specific subjects relating to condominium property regimes that would enable the Task Force to thereafter recommend legislation suitable to Hawaii’s needs on an informed and objective basis. Therefore, this measure requires and appropriates funds for the Legislative Reference Bureau to complete the requested study of condominium subjects in other states and provides additional time for the Condominium Property Regime Task Force to complete its work based on the Legislative Reference Bureau’s future findings and recommendations.

Your Committee on Conference has amended this measure by:

- (1) Inserting a general fund appropriation amount of \$200,000 for the Legislative Reference Bureau to conduct the requested study;
- (2) Making an appropriation in the amount of \$150,000 from the Condominium Education Trust Fund established pursuant to section 514B-71, Hawaii Revised Statutes, for the Legislative Reference Bureau to conduct the requested study, subject to certain conditions;
- (3) Inserting an effective date of July 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. 2726, 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. 2726, S.D. 2, H.D. 1, C.D. 1.

Signed by the Senate Majority Leader and Chairs on behalf of the Committee.

Senators Keohokalole, Fukunaga, Moriwaki, and Awa.

Managers on the part of the Senate.

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

Representatives Sayama, Kitagawa, Hussey-Burdick, Tam, and Pierick.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, 2 (Hussey-Burdick, Pierick).

Conf. Com. Rep. 177-24 on S.B. No. 2085

The purpose of this measure is to establish and appropriate funds for the Office of the State Fire Marshal to direct statewide efforts in preventing and responding to fires throughout the State.

Your Committee on Conference finds that the State Fire Marshal position was abolished in 1979 and replaced by the State Fire Council, composed of the Fire Chiefs of the four counties, Fire Chief of the State Aircraft Rescue Firefighting Unit, and a representative of the Division of Forestry and Wildlife Division of the Department of Land and Natural Resources. Your Committee on Conference further finds that while the State Fire Council acts as the de facto State Fire Marshal's office, the members serve as non-compensated volunteers, and can only meet on a quarterly basis due to the high demand of their leadership positions within their fire respective services. Therefore, this measure establishes the Office of the State Fire Marshal to provide critical input and oversight to the State's Fire Code, coordinate with county fire departments and other agencies in promoting fire safety and the efficient deployment of fire operations in the State, and oversee the training and certification of fire inspectors and investigators in the State, among other duties.

Your Committee on Conference has amended this measure by:

- (1) Requiring the State Fire Marshal to be appointed by the State Fire Council, rather than by the Governor;
- (2) Requiring the State Fire Marshal to serve a term of five years rather than ten years;
- (3) Inserting language requiring the State Fire Council to meet expeditiously to select and appoint a new State Fire Marshal to serve the remainder of the unexpired term in the event of a vacancy;
- (4) Deleting language that would have required the State Fire Marshal to:
 - (A) Coordinate with county fire departments and other agencies in promoting fire safety and the efficient deployment of fire operations in the State; and
 - (B) Administer state-level fire protection training and aid in the establishment of training facilities and programs, including statewide standardization of certification and training levels for firefighters;
- (5) Inserting language that clarifies that the duties of the State Fire Marshal include:
 - (A) Coordinating fire protection efforts between local agencies for the State;
 - (B) Working with the State Fire Council on matters relating to fire services in the State;
 - (C) Working with state and county law enforcement agencies for enforcement of the State Fire Code;
 - (D) Reviewing and assessing the fire risk of the State;
 - (E) Reviewing and proposing amendments to the State Fire Code and submitting the proposed amendments to the State Fire Council for the Council's consideration in its adoption of or amendments to the State Fire Code;
 - (F) Reviewing the emergency resources that are available in the State to be deployed to address fires;
 - (G) Assessing whether the State would benefit from a statewide public fire safety messaging program; and
 - (H) Assisting in the disbursement of federal grants for structural fire protection purposes to the counties;
- (6) Clarifying that the State Fire Marshal may utilize the services of the State Fire Council, including its advisory committees and administrative staff, as appropriate;
- (7) Inserting language including the State Fire Marshal in the list of positions excepted from the application of chapter 76, Hawaii Revised Statutes, the State's Civil Service Law;
- (8) Inserting language requiring the State Fire Council to establish the terms of employment for the position of the State Fire Marshal and appoint the State Fire Marshal;
- (9) Inserting an appropriation amount of \$172,000 for the following:
 - (A) \$120,000 for the establishment of one full-time equivalent (1.00 FTE) permanent State Fire Marshal position;
 - (B) \$40,000 for the establishment of one full-time equivalent (1.00 FTE) permanent position to support the State Fire Marshal; and

- (C) \$12,000 for training, office supplies, rent, and other operating and administrative costs to support the State Fire Marshal;
- (10) Amending section 1 to reflect its amended purpose;
- (11) Inserting an effective date of July 1, 2024; 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. 2085, 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. 2085, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Ichiyama, Matayoshi, Poepoe, Kila, M. Mizuno, and Souza.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 178-24 on S.B. No. 2991

The purpose of this measure is to:

- (1) Require the Hawaii Labor Relations Board to adopt rules establishing criteria and procedures for the creation of new bargaining units;
- (2) Require the Hawaii Labor Relations Board to issue a decision and order upon making a determination of whether or not to approve the petition, and if approved, submit a report for the Legislature to consider and enact the establishment of the new bargaining unit; and
- (3) Appropriate funds for the development of the criteria and procedures for the creation of new bargaining units and to establish an unspecified number of new positions within the Hawaii Labor Relations Board to implement the criteria and procedures.

Your Committee on Conference finds that the Legislature currently holds the exclusive authority to establish a new bargaining unit through legislation. Your Committee on Conference also finds that there is no path or process for those wishing to create a new bargaining unit to follow. Therefore, this measure will establish clear criteria and procedures to create new bargaining units as well as transfer a portion of the screening authority for prospective bargaining units from the Legislature to the Hawaii Labor Relations Board.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$95,000 for the establishment of one full-time equivalent (1.0 FTE) staff attorney position (LBR 161), exempt from chapter 76, Hawaii Revised Statutes, within the Hawaii Labor Relations Board;
- (2) Inserting an effective date of July 1, 2024;
- (3) Inserting a repeal date of July 1, 2027; 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. 2991, 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. 2991, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 179-24 on S.B. No. 2782

The purpose of this measure is to require the Office of Enterprise Technology Services to develop multilingual accessibility standards and appropriate funds to establish an unspecified number of program manager positions within the Office of Enterprise Technology Services.

Your Committee on conference finds that electronic information technology is rapidly replacing print media, emphasizing the importance of ensuring access to technology for all residents to participate fully in state programs, services, and activities. Providing equal access to state services and information for individuals with limited English proficiency upholds fundamental fairness principles and when diverse communities can fully engage with state resources, it promotes entrepreneurship, workforce participation, and consumer spending, thereby benefiting the economy. Therefore, this measure will provide clear technical guidance related to public access to vital information and documents and standardize performance criteria and technical requirements across the State's enterprise technology systems.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$100,000 for the establishment of one full-time equivalent (1.0 FTE) permanent program manager position within the Office of Enterprise Technology Services;
- (2) Inserting an effective date of July 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. 2782, 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. 2782, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs and Speaker of the House of Representatives on behalf of the Committee.

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

Representatives Perruso, Matayoshi, Lamosao, M. Mizuno, and Garcia.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 180-24 on S.B. No. 2787

The Purpose of this measure is to establish the Immigration Services and Access Unit within the Department of Labor and Industrial Relations' Office of Community Services and appropriate funds for the unit, including funding for new positions.

Your Committee on Conference finds that Hawaii is one of the most culturally diverse states with one of the highest proportions of non-English speakers in the nation, many of them being immigrants and migrants with limited English proficiency. Your Committee on Conference further finds that English proficiency, or the lack thereof, has a great impact on people's economic and social activities, and health literacy and wellness. Therefore, this measure will allow the Office of Language Access to further improve language access within state government, provide a critical link for communication, and make State services accessible to individuals with limited English proficiency.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$450,000 to fund the Immigrant Services and Access Unit within the Office of Community Services, to be expended as follows:
 - (A) \$80,000 to establish one full-time equivalent (1.0 FTE) Unit Supervisor Position;
 - (B) \$48,000 to establish one full-time equivalent (1.0 FTE) Fiscal Clerk position;
 - (C) \$12,000 as operation funds, including funds for on-site monitoring, legal review costs, printing costs, and travel expenses to attend conference training;
 - (D) \$300,000 to expand the Immigration Resource Centers to provide more direct client assistance for naturalization fees and replacement of U.S. Customs and Border Protection Form I-94 Arrival/Departure Records, and to specifically provide further assistance to immigrants affected by the August 2023 Maui wildfires; and
 - (E) \$10,000 for furniture and equipment for the newly established positions;
- (2) Inserting an effective date of July 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. 2787, 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. 2787, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Matayoshi, Lamosao, Garrett, M. Mizuno, and Alcos.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (M. Mizuno).

Conf. Com. Rep. 181-24 on S.B. No. 2461

The purpose of this measure is to:

- (1) Authorize medical cannabis dispensaries to purchase cannabis and manufactured cannabis products from other dispensaries without any showing that the purchase is necessary for a qualifying patient's continuous access to cannabis for medical use, or the cannabis and manufactured cannabis products are for medical, scientific, or other legitimate purposes; and
- (2) Require the Department of Health to adopt rules regarding medical cannabis products within a certain timeframe.

Your Committee on Conference finds that the State's medical cannabis dispensary program is intended to ensure that qualifying patients have safe and legal access to medical cannabis, which can be enhanced through the efficiencies derived from wholesaling. Notwithstanding, under existing law, a medical cannabis dispensary can only purchase cannabis and manufactured cannabis products directly from another dispensary if they can demonstrate a specific need for the purchase and obtain prior approval from the Department of Health. Your Committee on Conference finds that by authorizing sales between dispensaries of cannabis products as a matter of course, without having to demonstrate a specific need and obtain approval, this measure will increase the availability of medical cannabis, lower costs for patients, and improve the administration of the State's medical cannabis dispensary program.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have required the Department of Health to adopt rules regarding medical cannabis products no later than nine months after a product is permitted to be manufactured and distributed pursuant to section 329D-10(a), Hawaii Revised Statutes, the state law governing the types of manufactured cannabis products;
- (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. 2461, 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. 2461, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Keohokalole, and Rhoads.

Managers on the part of the Senate.

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

Representatives Tarnas, Gates, Belatti, Morikawa, Kahaloa, Takenouchi, and Souza.

Managers on the part of the House.

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

Conf. Com. Rep. 182-24 on S.B. No. 63

The purpose of this measure is to:

- (1) Authorize the Board of Nursing to issue temporary permits for six-month periods to out-of-state licensed practical nurses and registered nurses or nurses who hold a multistate license issued by another state, territory, or foreign country, under certain circumstances;
- (2) Provide an exception from licensing requirements to nurses who are licensed in another state, territory, or foreign country and accompanying a patient from out-of-state for a period of less than two weeks and who are not employed or affiliated with a health care entity in the State; and
- (3) Appropriate funds to the Department of Commerce and Consumer Affairs to implement the regulation of nurses as required by this measure.

Your Committee on Conference finds that the State is experiencing a chronic shortage of medical professionals statewide. This measure establishes a streamlined procedure for certain nurses who are not licensed in the State to practice in the State under a temporary permit valid for six months, and requires the Board of Nursing to issue temporary permits within ten business days of the date the completed application is received to help alleviate the strain on the existing nursing workforce.

Your Committee on Conference has amended this measure by:

- (1) Inserting language clarifying that the Board of Nursing may issue a temporary permit to a practical nurse or registered nurse licensed in another jurisdiction who meets certain criteria;
- (2) Inserting language clarifying that the Board of Nursing may issue a temporary permit to a nurse who currently holds a multistate license issued by another state, territory, or country; provided that the individual meets certain criteria;
- (3) Deleting language that would have provided that temporary permits issued pursuant to this measure would in no case be valid for more than a period of six month from the date of issuance and that a new and separate temporary permit may be issued under certain conditions;
- (4) Inserting language that, beginning July 1, 2025:
 - (A) Allows an out-of-state registered nurse or licensed practical nurse to apply for a temporary permit simultaneously with an application for a license to practice as a registered nurse or licensed practical nurse in the State;
 - (B) Requires any out-of-state registered nurse or licensed practical nurse applying simultaneously for a temporary permit and license to practice to submit only one application with a single, non-refundable fee as prescribed by the Board of Nursing; and
 - (C) Requiring the simultaneous temporary permit to be issued within ten business days of the date the completed application is received by the Board of Nursing under certain conditions and to be valid until the time the Board of Nursing approves the individual's application for a license to practice as a registered nurse or licensed practical nurse, but no longer than one year;

- (5) Inserting language allowing the Department of Commerce and Consumer Affairs to employ necessary personnel without regard to chapter 76, Hawaii Revised Statutes, including one full-time equivalent (1.0 FTE) permanent Office Assistant, for the purposes of this measure;
- (6) Deleting language that would have made an appropriation;
- (7) Inserting an effective date of July 1, 2024; 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. 63, 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. 63, S.D. 2, H.D. 3, 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, Matayoshi, Nakashima, Takenouchi, and Alcos.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Alcos).

Conf. Com. Rep. 183-24 on S.B. No. 3139

The purpose of this measure is to:

- (1) Establish a Crisis Intervention and Diversion Services Program within the Department of Health to expand existing services to divert those with mental health issues to appropriate health care services;
- (2) Require the Department of Law Enforcement to coordinate crisis intervention training for state and county law enforcement agencies and training and certification for crisis intervention officers;
- (3) Define “mental health emergency worker” and “crisis intervention officer”; and
- (4) Appropriate funds.

Your Committee on Conference finds that thousands of people in the State are cited or arrested each year for offenses such as drinking liquor in public, loitering in public parks after hours, and camping on sidewalks, beaches, and other restricted public places. Most of these people suffer from issues relating to drugs, alcohol, or mental illness and may be better served through the health care system, rather than the criminal justice system. This measure establishes a Crisis Intervention and Diversion Services Program to ensure that persons having mental illnesses or co-occurring mental illnesses and substance use disorders receive appropriate treatment.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have required the Department of Law Enforcement to coordinate crisis intervention training for state and county law enforcement agencies and crisis intervention officers;
- (2) Deleting language that would have included in the list of positions excepted from State’s Civil Service Law, three Crisis Intervention Coordinator positions in the Department of Law Enforcement;
- (3) Amending section 334-59, Hawaii Revised Statutes, which governs emergency examination and hospitalization of persons who are deemed imminently dangerous to self or others, by inserting language that:
 - (A) Clarifies when a law enforcement officer may gain control of the person and the procedures the officer shall take to call for assistance from a mental health emergency worker;
 - (B) Requires a Crisis Intervention Officer to call a mental health emergency worker if the Officer has probable cause to believe that the person is imminently dangerous to self or others, to determine if the person should be transported by ambulance or other suitable means to a behavioral health crisis center designated by the director; and
 - (C) Defines “crisis intervention officer”;
- (4) Deleting language that would have appropriated funds;
- (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 managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3139, 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. 3139, S.D. 2, H.D. 3, C.D. 1.

Signed by the Chairs and Speaker of the House of Representatives on behalf of the Committee.

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

Representatives Takenouchi, Marten, Tarnas, Nishimoto, Garrett, Lamosao, and Garcia.
Managers on the part of the House.
Ayes, 7. Noes, none. Excused, none.

Conf. Com. Rep. 184-24 on S.B. No. 582

The purpose of this measure is to make emergency appropriations, and reallocate certain state moneys, to fund the State's response to the August 2023 wildfires on the island of Maui.

More specifically, the measure:

- (1) Makes emergency appropriations for certain Federal Emergency Management Agency-eligible and Federal Emergency Management Agency-ineligible costs related to the August 2023 Maui wildfires;
- (2) Makes an emergency appropriation to fund the One Ohana Bank Trust Account to compensate Maui wildfire victims;
- (3) Repeals the general obligation bond appropriation for the Other Post-Employment Benefits Trust Fund and the Pension Accumulation Fund;
- (4) Temporarily lifts various restrictions on the use of the Major Disaster Fund and extends the lapse date of certain disaster relief funds to allow continued expenditures for the wildfire relief efforts; and
- (5) Requires the state Department of Defense and the Governor to submit reports on expenditures and federal reimbursements related to the August 2023 Maui wildfires.

Your Committee on Conference finds that the State's total expenses for Hawaii's response to the August 2023 Maui wildfires are expected to exceed the \$199,100,000 allocated to the Major Disaster Fund for initial wildfire response and recovery efforts. The emergency appropriations and reallocation of funds authorized by this measure are necessary so that the State may continue to aid displaced individuals and families, restore crucial infrastructure, and implement measures to prevent future wildfires.

Your Committee on Conference has amended this measure by:

- (1) Amending the appropriation to the Departmental Administration and Budget Division of the Department of Budget and Finance for noncongregate housing and other expenses related to the Maui wildfires by:
 - (A) Changing the appropriation amount from \$292,400,000 to \$297,000,000; and
 - (B) Providing that no funds shall be transferred unless matched by at least \$40,000,000 in private funds;
- (2) Deleting the appropriation to the Departmental Administration and Budget Division of the Department of Budget and Finance for services, goods, or construction that are eligible for partial federal reimbursement via certain public assistance programs;
- (3) Deleting a provision repealing the general obligation bond appropriation for the Other Post-Employment Benefits Trust Fund and the Pension Accumulation Fund;
- (4) Deleting a provision limiting the use of federal reimbursement moneys for the Maui wildfires disaster to expenditures for the State's share of services, goods, or construction that are eligible for partial federal reimbursement via certain public assistance programs, and making conforming amendments;
- (5) Deleting reporting requirements for the Governor and state Department of Defense on expenditures and federal reimbursements relating to the August 2023 Maui wildfires disaster;
- (6) Changing the effective date from July 1, 3000, to upon the measure's approval;
- (7) Changing the repeal and reenactment date of sections 37-41.5 and 127A-16, Hawaii Revised Statutes, from July 1, 2029, to July 1, 2026;
- (8) Changing the lapse date from July 1, 2029, to June 30, 2026, for any unencumbered trust account moneys retained in the account to be used for the recovery efforts from the Maui wildfires disaster that began on August 8, 2023;
- (9) Reordering certain sections of the measure for clarity; and
- (10) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 582, 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. 582, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Yamashita, Kitagawa, Nishimoto, Poepoe, and Alcos.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 185-24 on S.B. No. 3091

The purpose of this measure is to make an emergency appropriation to the Department of Education for its food service operations.

Your Committee on Conference finds that meals provided to students at Department of Education schools are critical to the development and well-being of Hawaii's students, which have become increasingly essential for thousands of students who rely on school breakfasts and lunches. This measure provides the Department of Education with critical funding to continue food service operations at public schools.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$20,000,000 for fiscal year 2023-2024 for the Department of Education to cover its food service operations;
- (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. 3091, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3091, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 186-24 on S.B. No. 3092

The purpose of this measure is to make an emergency appropriation to the Department of Education for charter school operations.

Your Committee on Conference finds that the Department of Education has a statutory mandate to provide proportional funding to charter schools commensurate with the respective school's student enrollment. This measure provides critical funding to support the operations and educational opportunities for students at Hawaii's public charter schools.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$6,600,000 for fiscal year 2023-2024 for the Department of Education to provide funding for charter schools;
- (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. 3092, 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. 3092, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 187-24 on H.B. No. 2340

The purpose of this measure is to satisfy several claims against the State, its officers, or its employees.

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 appropriation of \$800,000 in general funds for a settlement in the case of Schweitzer v. State of Hawaii;
- (3) Appropriating \$35,000 in general funds for a settlement in the case of Ralph Fukumoto v. State of Hawaii, Department of Public Safety;
- (4) Authorizing the payment of \$36,536.06 in general funds appropriated to the Department of the Attorney General for a settlement in the case of State of Hawaii v. The Honorable Jeffrey P. Crabtree and the Sierra Club;
- (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. 2340, 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. 2340, H.D. 2, S.D. 2, 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, 2. Noes, none. Excused, 1 (Awa).

Representatives Tarnas, Yamashita, Takayama, and Souza.

Managers on the part of the House.

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

Conf. Com. Rep. 188-24 on H.B. No. 40

The purpose of this measure is to provide a tax credit to taxpayers and appropriate funds for fiscal year 2023-2024 to be deposited into the Emergency and Budget Reserve Fund and Other Post-Employment Benefits Trust Fund pursuant to Article VII, section 6, of the Hawaii State Constitution.

Your Committee on Conference has amended this measure by:

- (1) Removing the provisions that provided an income tax credit;
- (2) Inserting an appropriation amount of \$300,000,000 to be deposited into the Emergency and Budget Reserve Fund and making the appropriation for fiscal year 2024-2025;
- (3) Inserting an appropriation amount of \$135,000,000 to be deposited into the Pension Accumulation Fund and making the appropriation for fiscal year 2024-2025;
- (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, 2024; 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. 40, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 40, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Aquino, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

Representatives Yamashita, Kitagawa, and Alcos.

Managers on the part of the House.

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

Conf. Com. Rep. 189-24 on S.B. No. 3068

The purpose of this measure is to make various appropriations to facilitate Maui's recovery from the August 2023 wildfires, including for repairs and replacement of infrastructure that will reduce the risk of future wildfires.

Specifically, this measure:

- (1) Appropriates \$200,000,000 from the state risk management revolving fund for disbursement of wildfire insurance claim payments;
- (2) Appropriates \$186,160,000 as a set-aside for wildfire recovery costs;
- (3) Authorizes the Governor to transfer funds to other state agencies and requires the Governor and the departments receiving those funds to report those transfers to the Legislature;
- (4) Appropriates \$10,000,000 for fire and emergency response equipment; and
- (5) Authorizes the Director of Finance to issue \$63,560,000 in reimbursable general obligation bonds for various projects on Maui.

Your Committee on Conference finds that in August 2023, the island of Maui suffered devastating wildfires that resulted in one hundred one confirmed fatalities, sweeping destruction of homes and businesses, and catastrophic impacts to the Maui community. Your Committee believes that the recovery of Maui will require additional moneys and programs along with authorizations for the expenditure of various federal funds. Your Committee further finds that a prudent recovery should include infrastructure repairs and replacement that will help to prevent future wildfires.

Your Committee on Conference has amended this measure by:

- (1) Amending the purpose section to reflect current efforts to support the Maui wildfire recovery and the reduction of future wildfire risks;

- (2) Adding an appropriation of \$62,500 in general funds for a temporary library to be located in Lahaina, Maui;
- (3) Adding an appropriation of \$424,344 in general funds for six full-time equivalent temporary positions within the Department of Human Services;
- (4) Adding appropriations of \$13,370,000 in general funds and \$12,751,554 in federal funds for emergency management related to the Maui wildfires;
- (5) Adding an appropriation of \$521,473 from the conservation and resources enforcement special fund for the Department of Land and Natural Resources, Division of Conservation and Resources Enforcement, for the Maui wildfire recovery efforts;
- (6) Adding an appropriation of \$1,000,000 from the public utilities commission special fund for consultant contracts for utility dockets, to be expended by the Public Utilities Commission;
- (7) Adding an appropriation, or authorizing the expenditure of federal moneys received by the State, of up to \$20,000,000 for wildfire response, recovery, and prevention measures;
- (8) Adding an appropriation of \$7,425,000 in general funds for fire response and rehabilitation, and wildfire fuels reduction, contracts;
- (9) Adding an appropriation of \$1,412,928 in general funds for twenty-two full-time equivalent positions within the Native Resources and Fire Protection Program of the Department of Land and Natural Resources;
- (10) Deleting from the measure the authorization to issue reimbursable general obligation bonds in the amount of \$63,560,000 for various projects on Maui since the authorizations for those projects were recently included in the Supplemental Appropriations Act of 2024;
- (11) Adding an appropriation of \$10,000,000 in general funds for fire and emergency response equipment;
- (12) Adding an appropriation, or authorizing the expenditure of federal moneys received by the State, of up to \$3,549,000 for fire and emergency response equipment;
- (13) Adding an appropriation of \$900,000 from the public utilities commission special fund for consultant contracts for utility dockets, to be expended by the Division of Consumer Advocacy;
- (14) Adding amendments to the General Appropriations Act of 2023, Act 164, Session Laws of Hawaii 2023, as amended by House Bill 1800, H.D. 1, S.D. 1, C.D. 1, passed by the Legislature during the Regular Session of 2024, to:
 - (A) Require that of the general fund appropriation for the Hawaii Association of Conservation Districts, \$400,000 shall be expended in accordance with chapter 180, Hawaii Revised Statutes, and also requiring that the moneys shall be used to match extramural funding for stormwater management for drought resiliency and reducing wildfire risk, along with requiring that the Department of Land and Natural Resources submit a report to the Legislature accounting for the usage of the moneys;
 - (B) Require that of the general fund appropriation for amelioration of natural disasters, the sum of \$194,000 shall be expended for civilian auxiliary aviation services; and
 - (C) Require reimbursement to the State from the County of Maui for certain wildfire recovery projects;
- (15) Adding an appropriation of \$2,334,681 for the University of Hawaii Economic Research Organization to conduct a multiethnic cohort study on the health effects of the August 2023 Maui wildfires and to develop and maintain a registry of those affected by the wildfires to assess their long-term health and well-being and the impacts on communities;
- (16) Requiring the lapsing of appropriations in the measure that are unencumbered as of June 30, 2025;
- (17) Changing the effective date to July 1, 2024; and
- (18) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3068, 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. 3068, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Hashimoto, and Elefante.

Managers on the part of the Senate.

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

Representatives Yamashita, Cochran, Kahaloa, Kila, Kitagawa, Miyake, Poepoe, and Ward.

Managers on the part of the House.

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

Conf. Com. Rep. 190-24 on H.B. No. 2374

The purpose of this measure is to make emergency appropriations for:

- (1) Collective bargaining cost items for the members of Bargaining Units (2), (3), (4), (9), (13), and (14) and their excluded counterparts, including the cost of salary adjustments negotiated between the State and the bargaining unit representative for fiscal biennium 2023-2025; and

- (2) The public employment cost items and cost adjustments for employees of the Senate, House of Representatives, and various legislative agencies who are excluded from collective bargaining.

Your Committee on Conference has amended this measure by:

- (1) Appropriating a total of \$449,016,917 for collective bargaining cost items for the members of Bargaining Units (2), (3), (4), (8), (9), (13), and (14) and their excluded counterparts, including the cost of salary adjustments negotiated between the State and the bargaining unit representative for fiscal biennium 2023-2025;
- (2) Deleting language that would have appropriated an unspecified amount for state officers and employees who are excluded from collective bargaining and belong to the same compensation plans as those officers and employees within certain bargaining units;
- (3) Deleting language that would have appropriated an unspecified amount for salary increases and other cost adjustments by the Chief Justice for state officers and employees who are excluded from collective bargaining and belong to the same compensation plans as those officers and employees within certain bargaining units;
- (4) Deleting language that would have appropriated an unspecified amount for salary increases and other cost adjustments for state officers and employees who are excluded from collective bargaining, assigned to the Hawaii Health Systems Corporation, and belong to the same compensation plans as those officers and employees within certain bargaining units;
- (5) Appropriating a total of \$7,800,000 for fiscal biennium 2023-2025 for the public employment cost items and cost adjustments for employees of the Senate, House of Representatives, and various legislative agencies who are excluded from collective bargaining;
- (6) Inserting the amount and percentage of exceedance of the appropriation over the general fund expenditure ceiling;
- (7) Changing the effective date to upon approval; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2374, 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. 2374, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Aquino, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

Representatives Matayoshi, Yamashita, Garrett, Kitagawa, and Alcos.

Managers on the part of the House.

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

STANDING COMMITTEE REPORTS

SCRep. 2101 Public Safety and Intergovernmental and Military Affairs on S.B. No. 2228

The purpose and intent of this measure is to authorize the use of the Reduced Ignition Propensity Cigarette Program Special Fund to support the duties and responsibilities of the State Fire Council, in addition to administering and enforcing the Reduced Ignition Propensity Cigarette Program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Labor and Industrial Relations, Hawaii State Fire Council, and Honolulu Fire Department.

Your Committee finds that funding statewide fire prevention programs is a necessary component to protect the State, particularly vulnerable communities such as seniors, young people, and people with disabilities. Your Committee notes that the State Fire Council's primary mission is to develop and support a comprehensive fire service emergency management network; promote the standardization of fire service reporting, training, sharing of technology; and establish best management practices. This measure will allow the State Fire Council to defray the costs of fire prevention, education, life safety, and preparedness programs.

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. 2228 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. 2102 (Joint/Majority) Public Safety and Intergovernmental and Military Affairs and Health and Human Services on S.B. No. 2005

The purpose and intent of this measure is to require the Department of Corrections and Rehabilitation to construct a mental health facility for inmates and detainees in custody of the Department.

Your Committees received testimony in support of this measure from the Department of Health, Department of Corrections and Rehabilitation, Office of the Prosecuting Attorney, National Alliance on Mental Illness Hawaii, and three individuals.

Your Committees received testimony in opposition to this measure from the Hawaii Substance Abuse Coalition; ACLU of Hawai'i; United Public Workers, AFSCME Local 646, AFL-CIO; Hawaii Health & Harm Reduction Center, and four individuals.

Your Committees received comments on this measure from the Hawaii Paroling Authority.

Your Committees find that forty percent of incarcerated people have a history of mental illness and that the Hawaii Corrections System is currently incapable of treating inmates with mental illnesses. Your Committees further note that many individuals are in need of rehabilitative care and treatment including social services, cultural education, mental health, and reintegration assistance. This measure will assist the Department of Corrections and Rehabilitation in providing mental health treatment for inmates and detainees, reducing recidivism, and promoting public safety.

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 are in accord with the intent and purpose of S.B. No. 2005 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, 4; Ayes with Reservations (Elefante, Fukunaga, Rhoads). Noes, 1 (Awa). Excused, none.
Health and Human Services: Ayes, 4; Ayes with Reservations (Shimabukuro). Noes, 1 (Awa). Excused, none.

SCRep. 2103 (Majority) Judiciary on S.B. No. 2217

The purpose and intent of this measure is to provide greater uniformity, efficiency, and effectiveness in the administration and enforcement of the State Ethics Code and state lobbyists law by:

- (1) Adjusting the reporting period for gift disclosures filed with the State Ethics Commission to conform with the state fiscal year; and
- (2) Establishing a phased process for transitioning to a fiscal year-based reporting period.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission.

Your Committee finds that existing law requires legislators and employees to submit a gifts disclosure statement with the State Ethics Commission no later than June 30 of each year, covering a period from June 1 of the preceding calendar year through May 31 of the year of the report. However, the State fiscal year begins on July 1. This measure will promote conformity, efficiency, and effectiveness in the administration and enforcement of the State Ethics Code and state lobbyists law by aligning the gift reporting requirement with the state fiscal 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 S.B. No. 2217 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. 2104 (Majority) Judiciary on S.B. No. 2213

The purpose and intent of this measure is to provide that an excess contribution of more than \$100 in cash, in the aggregate, from a single person during an election period to a candidate, candidate committee, or noncandidate committee shall escheat to the Hawaii Election Campaign Fund if not returned to the contributor within thirty days.

Your Committee received testimony in support of this measure from the Campaign Spending Commission.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that Act 6, Session Laws of Hawaii 2023, amended section 11-351(b), Hawaii Revised statutes, to prohibit the acceptance of a cash contribution of more than \$100, in the aggregate, during an election period. This measure will conform existing law to treat an excess cash contribution consistently with other types of excess contributions by requiring the return of an excess cash contribution to the contributor within thirty days of receipt of the excess contribution.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2213 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, 2 (San Buenaventura, Awa). Excused, none.

SCRep. 2105 Judiciary on S.B. No. 2216

The purpose and intent of this measure is to clarify and modernize the way the State Ethics Commission provides advice and conducts investigations.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission and League of Women Voters of Hawaii.

Your Committee finds that the ethical landscape of public service is ever-evolving, and the State's ethics framework must adapt to those changes. Key components of a proactive ethical framework are the ability to provide timely advice and the investigative process for potential violations. This measure will address the need for clarity in the advice-seeking process by providing public officials with a secure mechanism to confidentially request advice and receive a written summary of any advice provided, while also making important housekeeping amendments to the investigative process to reduce the potential for misusing the process.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2216, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2216, 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. 2106 (Majority) Judiciary on S.B. No. 2215

The purpose and intent of this measure is to update the maximum administrative fines allowed for violations of chapters 84 and 97, Hawaii Revised Statutes, relating to standards of conduct and lobbyists, respectively.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission.

Your Committee finds that in recent years, instances of ethical violations underscore the need for a more robust deterrent to dissuade individuals from engaging in activities that compromise public trust. Most jurisdictions have a maximum fine between \$5,000 and \$10,000 for ethics violations, making the State's existing maximum fine of \$1,000 on the lower end of the scale. Your Committee believes that increasing the maximum fine would proactively discourage unethical behavior. This measure will allow the State to maintain the highest standards of ethical behavior among public officials and employees.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2215 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 (San Buenaventura). Excused, none.

SCRep. 2107 Public Safety and Intergovernmental and Military Affairs on S.B. No. 2091

The purpose and intent of this measure is to require:

- (1) All telecommunications service providers to communicate relevant information relating to the deenergization of electrical lines to public safety or emergency response offices for the affected areas;
- (2) All electric utilities to operate electrical lines and equipment in a manner that shall minimize the risk of catastrophic wildfire posed by the electrical lines and equipment; and
- (3) Each electric utility to prepare a wildfire mitigation plan and protocols for deenergizing electrical lines.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and International Brotherhood of Electrical Workers, Local Union 1260.

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

Your Committee finds that it is imperative for telecommunication providers and electrical utilities to have clear protocols where there is a need to deenergize electrical lines in emergency situations. Your Committee believes that each telecommunication provider needs to create standards to communicate relevant information relating to deenergization situations, and that all electric utilities must implement wildfire mitigation plans. This measure will ensure a coordinated and effective response to the deenergization of electrical lines in emergency situations and hopefully reduce the risk of fires related to electrical services.

Accordingly, your Committee has amended this measure by:

- (1) Adding definitions for “electric utility”, “commission”, and “plan”;
- (2) Inserting language that outlines the Public Utilities Commission’s role in regulating, adopting, and approving electric utilities’ wildfire mitigation plans, and protocols for electric utilities to implement and submit wildfire mitigations plans to the Public Utilities Commission;
- (3) Reorganizing language that requires electric utility companies to include certain protocols and procedures in the annual wildfire mitigation plan; 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. 2091, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2091, S.D. 1, and be 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. 2108 Public Safety and Intergovernmental and Military Affairs on S.B. No. 2092

The purpose and intent of this measure is to require the Public Utilities Commission to direct each electric and gas utility company in the State to file proposals for programs to provide certain benefits to residential property owners in fire-prone areas to reduce or eliminate the impacts of wildfires on residential properties or to purchase emergency equipment or supplies for use in deenergization events.

Your Committee received testimony in opposition to this measure from two individuals.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, Hawaiian Electric, Hawai‘i Gas, and Life of the Land.

Your Committee finds that electric utility infrastructure is prone to impact during hazardous or severe weather related events. Your Committee believes that to address this issue, particularly in fire-related events, electric utility companies must provide robust wildfire mitigation plans. This measure will assist the Public Utilities Commission in prioritizing public safety and maintaining utility services during a high-risk hazardous event.

Your Committee has amended this measure by:

- (1) Deleting all references to gas utility companies; and
- (2) Specifying that improvements be related to electric infrastructure.

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. 2092, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2092, S.D. 1, and be 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. 2109 Public Safety and Intergovernmental and Military Affairs on S.B. No. 2236

The purpose and intent of this measure is to require law enforcement to post notice that a search has been conducted on a property if a resident was not present at the time of the search and secure the entrances used by officers upon completion of the search.

Your Committee received testimony in support of this measure from the Office of the Public Defender and ACLU of Hawai‘i.

Your Committee received comments on this measure from the Department of Law Enforcement.

Your Committee finds that the Hawaii State Constitution guarantees a more enhanced and robust right to privacy and right to be free from unreasonable searches and seizures than the United States Constitution. Your Committee further finds that there is a lack of safety and transparency regarding property searches, as officers are currently not required to secure entrances used or provide notice that a search has been conducted if the resident is absent during the search. In accordance with those rights provided in the Hawaii State Constitution, this measure will strengthen the right to privacy by increasing transparency and security throughout the search process.

Your Committee has amended this measure by:

- (1) Clarifying that the notice requirement applies to warranted and warrantless searches;

- (2) Requiring the notice to include the report number;
- (3) Deleting the requirement that the officers involved be named in the notice; 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. 2236, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2236, 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. 2110 (Majority) Public Safety and Intergovernmental and Military Affairs on S.B. No. 2346

The purpose and intent of this measure is to require the Department of Law Enforcement to hold a voluntary firearm buyback program in each county in the State.

Your Committee received testimony in support of this measure from the Department of Law Enforcement and one individual.

Your Committee received testimony in opposition to this measure from twenty individuals.

Your Committee received comments on this measure from the Hawaii Firearms Coalition and five individuals.

Your Committee finds that Hawaii has seen a significant increase in incidents of gun violence, a trend that until recently was primarily confined to the continental United States. Your Committee additionally finds that the overwhelming success of a recent gun buyback event on Oahu by the Department of Law Enforcement illustrated the demand of the public to get guns off of the State's streets, with a total of four hundred ninety-four firearms being turned in, including sawed-off shotguns, a MAC-10, an Uzi, pistols with silencers, and multiple assault weapons, such as AK-47 and AR-15 type rifles. This measure will expand the buyback program to remove guns from every county in the State.

Your Committee has amended this measure by:

- (1) Removing language that would have required the Department of Law Enforcement to adopt rules in accordance with chapter 91, Hawaii Revised Statutes, to implement the Firearm Buyback Program;
- (2) Inserting an effective date of January 1, 2042, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment 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 of Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it considers inserting an appropriation amount of \$825,000 for fiscal year 2024-2025.

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. 2346, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2346, 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 (Fukunaga).

SCRep. 2111 Public Safety and Intergovernmental and Military Affairs on S.B. No. 2444

The purpose and intent of this measure is to appropriate funds for the installation of a new outdoor emergency siren in the Pacific Palisades area of Oahu.

Your Committee received testimony in support of this measure from six individuals.

Your Committee finds that the emergency siren at Palisades Elementary School has been inoperative for several years, and that there have been complaints from the residents living in the Pacific Palisades area that they are unable to hear the emergency siren located at Pearl City High School. Your Committee further finds that a new emergency siren is needed in the area so that residents can be alerted to all civil defense emergencies in a timely manner to take any necessary safety measures. This measure will appropriate funds for the installation of a new outdoor emergency siren in the Pacific Palisades area of Oahu for the safety of residents in that community.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount;
- (2) Inserting an effective date of January 1, 2042, 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 an unspecified appropriation amount. 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 \$200,000 for fiscal year 2024-2025.

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. 2444, as amended herein, and

recommends that it pass Second Reading in the form attached hereto as S.B. No. 2444, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

SCRep. 2112 Public Safety and Intergovernmental and Military Affairs on S.B. No. 2307

The purpose and intent of this measure is to:

- (1) Require the Department of Corrections and Rehabilitation, in collaboration with various agencies and upon request of the inmates, to assist inmates in obtaining the inmates' civil identification card, birth certificate, social security card, and other relevant identification necessary for successful reentry into society, as soon as practicable; and
- (2) Require the Department of Corrections and Rehabilitation to initiate the process of obtaining identifying documents for inmates released to work furloughs, extended furlough, or community placement programs by providing the forms necessary for the inmate to obtain civil identification cards and other identifying documents to the inmates as soon as practicable.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation, Office of the Prosecuting Attorney of the County of Hawaii, and one individual.

Your Committee finds that individuals transitioning from incarceration often encounter obstacles while trying to obtain necessary identification documents, which has often been cited as a contributing factor to recidivism. Your Committee further finds that increasing collaboration between the Department of Corrections and Rehabilitation and departments that provide identification documents will aid individuals in accessing necessary resources. This measure will encourage the positive reintegration of justice-involved individuals by helping them access needed services at the most crucial time, prior to release from incarceration and reentry into the community.

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. 2307 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. 2113 Housing on S.B. No. 2045

The purpose and intent of this measure is to:

- (1) Amend the priority for which moneys in the Rental Housing Revolving Fund are to be used; and
- (2) Require the Hawaii Housing Finance and Development Corporation to:
 - (A) Prioritize the allocation of Low-Income Housing Tax Credits to certain projects; and
 - (B) Adopt certain administrative rules.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority, one member of the Maui county council, AARP Hawai'i, and one individual.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation and one individual.

Your Committee finds that the State has a strong need for increased affordable housing supply. Your Committee further finds that the State faces an aging public housing inventory. This measure will ensure that taxpayer dollars are used for publicly owned projects and private projects that recycle taxpayer funding, rather than projects owned by private entities for their own benefit, and adjusts the priorities of the Low-Income Housing Tax Credit and the Rental Housing Revolving Fund to increase housing supply and address significant capital improvement backlog.

Your Committee notes this measure requires that priority be given to projects owned by an organization obliged to use all financial surplus generated by the project to construct, manage, and rehabilitate owner- or renter-occupied housing. According to testimony received by your Committee, this could lead to a number of different interpretations that may have unintended consequences. Your Committee acknowledges the concerns raised about potential abuse and request that subsequent committees that hear this measure through the legislative process consider ways to address those concerns, including the possibility of limiting the types of organizations that would qualify, or requiring audits or limits to the application of surplus funds.

Your Committee has amended this measure by:

- (1) Clarifying that with regard to the administration of low-income housing credits, priority be given to projects on state or county land;
- (2) Deleting language that would have given preference to projects in which the State or a county is an equity partner;
- (3) Clarifying that the list of priorities for the Rental Housing Revolving Fund not be mutually exclusive with Low-Income Housing Tax Credits;
- (4) Inserting language that requires applicants to demonstrate project readiness;
- (5) Clarifying that priority be given to projects owned by organizations obliged to use all financial surplus generated by the project to construct, manage, or rehabilitate renter-occupied housing in the State of Hawaii;

- (6) Granting the Hawaii Housing and Finance Development Corporation more flexibility with regard to the allocation of points for certain projects; and
- (7) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2045, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2045, 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. 2114 Housing on S.B. No. 2068

The purpose and intent of this measure is to appropriate funds to the Hawaii Public Housing Authority (HPHA) to rehabilitate, remodel, renovate, and repair an unspecified number of housing units, without regard to the civil service law.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority, Catholic Charities Hawai'i, Partners In Care, and one individual.

Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association (AFSCME Local 152, AFL-CIO), and United Public Workers (AFSCME Local 646, AFL-CIO).

Your Committee finds that 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. This measure will therefore help prepare vacant units for immediate occupancy to further assist the State in addressing its ongoing housing crisis.

Your Committee has amended this measure by:

- (1) Inserting an appropriation amount of \$10,500,000 for the rehabilitation, remodel, renovation, and repair of one hundred fifty-five units; and
- (2) Deleting language that would have authorized HPHA to contract out the repair and maintenance of the units without regard to chapter 76, Hawaii Revised Statutes.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2068, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2068, 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. 2115 Health and Human Services on S.B. No. 2259

The purpose and intent of this measure is to amend the law relating to health.

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:

- (1) Require each employer group health policy, contract, plan, or agreement and each individual and group hospital or medical service plan, policy, contract, or agreement issued or renewed by health insurers in the State after December 31, 2024, that provides coverage, to provide coverage for dental and vision preventative care, diagnosis, and treatment; and
- (2) Require every insurer and mutual benefit society to provide written notice to policyholders and members no later than December 31, 2025.

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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2259, as amended herein, and recommends that it be recommitted to your Committee on Health and Human Services, in the form attached hereto as S.B. No. 2259, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2116 Health and Human Services on S.B. No. 462

The purpose and intent of this measure is to:

- (1) Increase the amount of interest in real property that is exempt from attachment and execution;
- (2) Amend the value of certain personal property that is exempt from attachment and execution, including increasing the exemption amount for a motor vehicle; and
- (3) Exempt from attachment and execution, a combined total of one month of child support and one month of spousal support, or \$5,000, whichever is less.

Your Committee received testimony in support of this measure from the Hawaii Appleseed Center for Law and Economic Justice and one individual.

Your Committee received testimony in opposition to this measure from the Collection Law Section of the Hawaii State Bar Association.

Your Committee received comments on this measure from the Hawaii Credit Union League, Mortgage Bankers Association of Hawaii, Hawaii Financial Services Association, and Hawaii Bankers Association.

Your Committee finds that the current statutory exemptions from attachment or execution of real and personal property are outdated, and need to be updated. This measure increases the amount of the exemption for interest in real property to \$100,000 in equity; certain personal property to its fair market value; and a motor vehicle to \$15,000. This measure also establishes exemptions for child support and spousal support. This measure will serve to keep more local families in stable housing while giving them room to regain a measure of economic security and reduce long-term poverty 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 is in accord with the intent and purpose of S.B. No. 462 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2117 Health and Human Services on S.B. No. 343

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 certain other requirements;
- (3) Allow the Board of Psychology to grant licensure waivers in certain circumstances for psychologists; and
- (4) Authorize insurance reimbursements for services provided by a supervised social work intern in certain circumstances.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation; Hawai'i Psychological Association; The Hawaiian Islands Association for Marriage and Family Therapy; National Association of Social Workers - Hawai'i; Pau Hana Counseling, LLC; Pilina Center for Wellbeing; The Catalyst Group, LLC; Samaritan Counseling Center Hawaii; Hawai'i Counselors Association; Behavior Analysis No Ka Oi, Inc; Hawai'i Health & Harm Reduction Center; Residential Youth Services & Empowerment; Collective Current; Center for Healing & Transformation; Fujimoto Counseling Services, LLC; Oahu Psychological Services; Trauma Healing Hawaii Brighter Board; and seventy-five individuals.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Health, and Board of Psychology.

Your Committee finds that there is a clear workforce shortage of mental health providers in the State. For the State to achieve behavioral health equity, more effective systems and policies are needed to address this workforce shortage to ensure proper implementation of this measure.

Your Committee notes the testimony of the Department of Commerce and Consumer Affairs requesting the following appropriations to ensure proper implementation of this measure:

- (1) \$73,406 to establish, recruit, and hire an office assistant V to process provisional license applications; and
- (2) \$75,000 to make appropriate updates to the Department's internal database for the new license types and associated requirements.

Therefore, your Committee requests that subsequent committees to which this measure is referred consider inserting an appropriation amount of \$148,406 for fiscal year 2024-2025 for proper implementation of this measure. Your Committee further notes the Department's request to delay the implementation of this measure until January 1, 2026.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language declaring that the general fund expenditure ceiling for fiscal year 2024-2025 has been exceeded;
- (2) Inserting an appropriation for an unspecified amount of general funds to be expended by the Department of Commerce and Consumer Affairs to ensure proper implementation of this measure;
- (3) Making parts II, III, IV, and V of the measure take effect on July 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 343, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 343, 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. 2118 Health and Human Services on S.B. No. 1444

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; and
- (2) Allow psychologist license applicants to take licensing examinations before completing other requirements.

Your Committee received testimony in support of this measure from the Hawai'i Psychological Association; National Association of Social Workers-Hawai'i Chapter; Hilopa'a Family to Family, Inc; Catholic Charities Hawai'i; Hawai'i Health & Harm Reduction Center; The Hawaiian Islands Association for Marriage and Family Therapy; and twenty-five individuals.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Board of Psychology.

Your committee finds that there is a critical shortage of mental health professionals in Hawaii, particularly in rural areas. It is imperative for the State to meet the burgeoning demand for quality mental health services, especially considering the increased emotional and mental toll suffered by residents who were affected by the August 2023 Maui wildfires. This measure reduces administrative obstacles for mental health professionals to obtain licenses and practice in the State to help meet these demands.

Your Committee notes the testimony of the Department of Commerce and Consumer Affairs requesting the following appropriations to ensure proper implementation of this measure:

- (1) \$73,406 to establish, recruit, and hire an office assistant V to process provisional license applications; and
- (2) \$75,000 to make appropriate updates to the Department's internal database for the new license types and associated requirements.

Therefore, your Committee requests that subsequent committees to which this measure is referred consider inserting an appropriation amount of \$148,406 for fiscal year 2024-2025 for proper implementation of this measure. Your Committee further notes the Department's request to delay the implementation of this measure until January 1, 2026.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have required associate licensees in marriage and family therapy and mental health counseling to pass their licensing examination before obtaining the associate license;
- (2) Deleting language that would have allowed psychologist license applicants to take licensing examinations before completing other requirements;
- (3) Deleting language that would have authorized the Board of Psychology to grant waivers or extensions for licensees who failed to timely renew their licenses under certain conditions, at these provisions already exist in state law;
- (4) Inserting language declaring that the general fund expenditure ceiling for fiscal year 2024-2025 has been exceeded;
- (5) Inserting an appropriation for an unspecified amount of general funds to be expended by the Department of Commerce and Consumer Affairs to ensure proper implementation of this measure;
- (6) Amending section 1 to reflect its amended purpose;
- (7) Making parts II, III, IV and V of the measure take effect on July 1, 2026; 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 S.B. No. 1444, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1444, 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. 2119 (Majority) Health and Human Services on S.B. No. 471

The purpose and intent of this measure is to:

- (1) Prohibit camping in public areas that are not designated as camping locations by the State or a county;
- (2) Allow the court to order violators to participate in homeless services in lieu of prosecution or sentencing;
- (3) Require the Governor to establish safe zones for homeless persons; and
- (4) Make appropriations.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Malama Makua, and fourteen individuals.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender; Food Not Bombs Hawaii; Hawaii Guerrilla Video Hui; Neighborhood Place of Puna; Hawai'i Health & Harm Reduction Center; Hope Services Hawai'i, Inc.; ACLU of Hawai'i; and twenty individuals.

Your Committee received comments on this measure from the Statewide Office on Homelessness and Housing Solutions, Department of the Attorney General, Department of Human Services, The Judiciary, Hawai'i Youth Services Network, and three individuals.

Your Committee finds that unauthorized camping on public property has become a significant issue in the State. Specifically, homeless encampments present continuing challenges and often prevent members of the public from enjoying the State's public lands. This measure establishes that unauthorized camping on public property is a criminal offense under state law; however, provides courts with an alternative of ordering violators to participate in homeless services rather than subjecting them to fines and imprisonment. This measure also requires the Governor to establish safe zones on lands to be designated by the Governor, where homeless individuals may reside.

Your Committee notes the concerns raised in testimony over the criminalization of individuals who have no access to housing or adequate indoor shelter. Criminalization is also likely to prolong an individual's homelessness status, as a criminal record can severely affect one's opportunities to secure housing, employment, and education. Your Committee also notes concerns raised in testimony that many residents of Maui were impacted by the wildfire and have nowhere else to stay but on public property. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that any person who camps on public property that is not designated as a location for camping shall be guilty of a violation subject to a fine of not less than \$50, except that any person who commits the same violation within three months of a prior conviction shall be guilty of a petty misdemeanor;
- (2) Establishing exceptions to the prohibition against unauthorized camping on public property when:
 - (A) There are no safe zones designated by the county or the State within five miles of the area in which overnight stays from 7:00 p.m. to 7:00 a.m. by individuals are prohibited; or
 - (B) The person has no access to the person's residence or a shelter due to a declared state of emergency;
- (3) Requiring the counties or the State, rather than the Governor, to establish safe zones for homeless persons no later than December 31, 2024;
- (4) Allowing the counties and the State to collaborate with private landowners and contract with public and private organizations to operate the safe zones;
- (5) Requiring the Statewide Office on Homelessness and Housing Solutions to assess, coordinate, and refer individuals residing in a safe zone to appropriate resources;
- (6) Inserting language declaring that the general fund expenditure ceiling for fiscal year 2024-2025 has been exceeded;
- (7) Inserting an effective date of December 31, 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 S.B. No. 471, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 471, 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). Noes, 1 (Awa). Excused, none.

SCRep. 2120 Housing on S.B. No. 2063

The purpose and intent of this measure is to require any government agency that exercises its authority to develop low- or moderate-income housing projects to process any low- or moderate-income housing project that meets the development requirements of chapter 201H, Hawaii Revised Statutes, and applicable administrative rules.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and Stanford Carr Development, LLC.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that Hawaii has both the highest median home prices and the highest level of regulation on housing development. This puts stress on residents and housing developers within the State. This measure will prohibit the counties from imposing stricter income requirements than what is already in statute on applicable housing developments, aiming to alleviate some of this stress for the residents of the State.

Your Committee has amended this measure by:

- (1) Inserting language prohibiting the legislative body of a county from imposing income requirements that are lower than those adopted or established by the State;
- (2) Deleting language that would have required any governmental agency that exercises its authority to develop low- or moderate-income housing projects to process any such project that meets the development requirements of chapter 201H; Hawaii Revised Statutes; 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. 2063, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2063, 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. 2121 Housing on S.B. No. 2469

The purpose and intent of this measure is to:

- (1) Add credit enhancement for construction loans to the list of permitted uses of moneys in the Rental Housing Revolving Fund; and
- (2) Require the Hawaii Housing Finance and Development Corporation to adopt administrative rules.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that Hawaii has extremely high housing development costs, which have worsened in light of currently high interest rates. These costs put added strain on housing developers. This measure will allow the Rental Housing Revolving Fund to provide credit enhancement for construction loans, which will help alleviate related financing and development costs at very little risk to the fund.

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. 2469 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 (Kanuha).

SCRep. 2122 (Majority) Judiciary on S.B. No. 2319

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.

Your Committee received testimony in support of this measure from Community Alliance on Prisons and five individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the institutional knowledge that justices and judges acquire throughout their tenure is invaluable to the administration of justice in the State. Your Committee believes that the existing mandatory retirement age for justices and judges of seventy years is harming the court system because it requires excellent judges to retire prematurely. This measure will allow judges to continue to benefit the State's justice system with their years of experience gained from considering legal issues during their tenure.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2319 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. 2123 (Majority) Judiciary on S.B. No. 2107

The purpose and intent of this measure is to allow the Attorney General to appoint a special counsel to assume the Attorney General's powers and responsibilities over an investigation of a person or matter when the investigation or prosecution of, or any other legal or administrative action against the person or matter by the Department of the Attorney General, may present a conflict of interest.

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 Attorney General has a range of options to resolve conflicts of interest that implicate the Attorney General personally or the Department of the Attorney General as a whole. For example, the Attorney General may request any of the four county prosecuting attorneys to investigate and prosecute criminal acts when the Attorney General or the Department of the Attorney General has an unresolvable conflict of interest. However, certain events may arise that may require the Attorney General to appoint a special counsel to assume the Attorney General's powers and responsibilities over an investigation if the investigation presents a conflict of interest. Your Committee believes that providing the Attorney General with additional tools to address conflicts of interest are in the public interest. This measure will provide another avenue for the Attorney General to perform his or her duties in the case of an unresolvable conflict of interest.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2107 and recommends that it pass 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. 2124 Judiciary on S.B. No. 2332

The purpose and intent of this measure is to require the Judicial Council to conduct a comprehensive review of the Hawaii Penal Code.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation and one individual.

Your Committee received comments on this measure from the Judiciary.

Your Committee finds that the Hawaii Penal Code is the fundamental document by which the State addresses crime, and that it is imperative that such an important part of state law receive full and deliberate attention from time to time to ensure the Code's continued force and effectiveness. Since the Hawaii Penal Code was enacted in 1972, there have been four significant reviews of the code, in 1983, 1993, 2005, and 2015. Your Committee notes that it has been nine years since the last review and it will be eleven years since the last review by the time the report required by this measure is submitted to the Legislature in 2026. This measure will ensure that the Hawaii Penal Code will continue to be effective, fair, and balanced.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2332 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. 2125 (Majority) Judiciary on S.B. No. 2240

The purpose and intent of this measure is to require:

- (1) The Office of Elections to file an application with the Electronic Registration Information Center, Inc. (ERIC), for the State to be admitted as a member of the organization;
- (2) The Office of Elections to share with each county the information and services made available by ERIC; and
- (3) The State and each county to use the information and services made available by ERIC to verify their voter rolls.

Your Committee received testimony in support of this measure from the Office of Elections and one individual.

Your Committee received testimony in opposition to this measure from sixty-one individuals.

Your Committee finds that the participation of eligible voters in elections is vital to American democracy, and an integral part of voter participation is the maintenance of accurate and current voter registration rolls. The Electronic Registration Information Center, Inc., or ERIC, is a nonprofit organization that was formed in 2012 to help states improve the accuracy of voter registration rolls by using secure data-matching tools. Twenty-four states and the District of Columbia participate in ERIC and receive, as member states, reports that show voters who have moved within the respective states, voters who have moved out of the state, voters with duplicate registrations within the state, voters who have passed away, and individuals who are potentially eligible to vote and have not registered to vote. Your Committee believes that providing another tool for election officials to maintain the accuracy of voter registration rolls is necessary to protect democracy in the State. This measure will ensure the integrity of voter registration rolls in the State by modernizing the State's voting system of verifying voter registration data.

Your Committee has amended this measure by:

- (1) Requiring the Office of Elections to file an application with ERIC by June 30, 2025, instead of January 1, 2025; and
- (2) Increasing the appropriation amount to \$125,000.

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. 2240, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2240, 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. 2126 Judiciary on S.B. No. 2181

The purpose and intent of this measure is to require the Judiciary to increase the hourly fees, mileage reimbursement rate, and commuter-time compensation rate for court interpreters to reflect the significant increase in the cost of living in the State.

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 Hawaii, Hawai'i Coalition for Immigrant Rights, and twenty-two individuals.

Your Committee finds that the State has one of the largest populations of non-English speakers in the nation, and court interpreters play an integral role in the administration of justice in the State. Court interpreters are critical for a defendant with limited English proficiency to exercise the defendant's constitutional and statutory right to represent themselves in court or assist counsel. However, court interpreters are often required to drive, sometimes for hours, to distant courthouses to provide these critical interpretation services. Additionally, despite the substantial increase in the cost of living in the State over the years, the compensation for court interpreters has largely remained unchanged since 2007. This measure will address the increased financial burdens many court interpreters face while helping the State to administer justice by requiring the Judiciary to increase the hourly fees, mileage reimbursement rate, and commuter-time compensation rate for court interpreters.

Your Committee notes that the Judiciary has included in its supplemental budget request for fiscal year 2024-2025 a request of \$530,000 for court interpreter services. Your Committee also notes that the hourly amounts currently paid to court interpreters have not been increased in seventeen years, despite the cost of living increasing during the same period. Your Committee believes that the requested amount is unlikely to meet that need.

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. 2181, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2181, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2127 (Majority) Judiciary on S.B. No. 2377

The purpose and intent of this measure is to increase the rate of compensation and maximum allowable amounts per case for court-appointed counsel in criminal proceedings.

Your Committee received testimony in support of this measure from the Judiciary, Office of the Public Defender, ACLU of Hawai'i, Hawaii State Bar Association, Hawai'i Association of Criminal Defense Lawyers, and nineteen individuals.

Your Committee finds that indigent criminal defendants have a right to representation by competent counsel appointed by the court, usually by the Office of the Public Defender. However, in cases where there is, or there arises, a conflict between the defendant and the Office of the Public Defender, the defendant has a right to the appointment of a private defense counsel. This measure will attract competent individuals to serve as appointed counsel for qualified criminal defendants by ensuring that appointed counsel are adequately compensated for their work.

Your Committee notes that over the last decade there has been a dramatic decrease in qualified applicants to the court-appointed lists of each circuit, which has in turn caused a shortage of available counsel to take indigent defendant criminal cases statewide.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2377 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 2128 Hawaiian Affairs on S.B. No. 2647

The purpose and intent of this measure is to increase the allowable loan term for direct loans provided by the Department of Hawaiian Home Lands from thirty years to forty years.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands; Ho'omana Pono, LLC; and two individuals.

Your Committee finds that the United States Department of Agriculture's Section 502 Direct Loan Program provides a loan term of thirty-eight years; however, loans administered by the Department of Hawaiian Home Lands for the beneficiaries of the Hawaiian Homes Commission Act, 1920, as amended, have maximum terms of thirty years. This measure addresses this discrepancy by amending the Hawaiian Homes Commission Act, 1920, as amended, to increase the term for direct loans provided by the Department of Hawaiian Home Lands to forty years.

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. 2647 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 (Richards).

SCRep. 2129 Hawaiian Affairs on S.B. No. 2655

The purpose and intent of this measure is to:

- (1) Allow the Hawaiian Homes Commission to retain independent legal counsel at its discretion; provided that funds owed to independent legal counsel be paid by the Hawaiian Homes Commission with general funds appropriated by the Legislature; and
- (2) Authorize the Hawaiian Homes Commission to use the services of the Attorney General as needed.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and Ho'omana Pono, LLC.

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 Hawaiian Homes Commission is unique among state departments as it has a trust duty to its beneficiaries and in the fulfillment of this trust obligation, the Hawaiian Homes Commission may at times be at odds with the interests of the State. It is at these times that the Hawaiian Homes Commission must be assured that its counsel provides legal service strictly in the interest of its client. This measure will allow the Hawaiian Home Commission to retain independent counsel, which will eliminate any doubts of a conflict of interest that may come with representation by the Attorney General, who also represents the State of Hawaii.

Your Committee recognizes the concerns of the Department of the Attorney General regarding this measure that because of the department's breadth of experience and expertise, it is best suited to provide legal services to state agencies, including the Hawaiian Homes Commission.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2655 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 (Richards).

SCRep. 2130 Hawaiian Affairs on S.B. No. 2646

The purpose and intent of this measure is to increase the loan limit for direct loans provided by the Department of Hawaiian Home Lands from fifty percent to seventy-five percent of the maximum single residence loan amount allowed in Hawaii by the United States Department of Housing and Urban Development's Federal Housing Administration, as currently outlined in Section 215 of the Hawaiian Homes Commission Act, 1920, as amended.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands; Ho'omana Pono, LLC; and two individuals.

Your Committee finds that the Department of Hawaiian Home Lands provides direct loans for the repair, maintenance, purchase, and erection of a dwelling. However, the Hawaiian Homes Commission Act, 1920, as amended, stipulates that these loans cannot exceed fifty percent of the maximum single residence loan amount allowed in Hawaii by the United States Department of Housing and Urban Development's Federal Housing Administration. This measure will enable the Department of Hawaiian Home Lands to better serve beneficiaries seeking to purchase or make improvements to their home by increasing the loan limit from fifty percent to seventy-five percent of the maximum single residence loan amount allowed in Hawaii by the Federal Housing Administration.

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. 2646 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 (Richards).

SCRep. 2131 Hawaiian Affairs on S.B. No. 2921

The purpose and intent of this measure is to:

- (1) Amend the appropriation of Act 279, Session Laws of Hawaii 2022 (Act 279), to conform with the Hawaii State Constitution; and
- (2) Appropriate monies to the Department of Hawaiian Home Lands for fiscal year 2024-2025 to give practical effect to the intent behind Act 279.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands; Ho'omana Pono, LLC; and two individuals.

Your Committee received comments on this measure from the Department of Budget and Finance and Tax Foundation of Hawaii.

Your Committee finds that Act 279 does not conform with the Hawaii State Constitution's provision that no appropriation shall be made for a period exceeding three years. To meet this requirement and to fulfill the purpose of Act 279, this measure will make a new appropriation of general funds for fiscal year 2024-2025 to the Department of Hawaiian Home Lands.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2921 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 (Richards).

SCRep. 2132 (Majority) Hawaiian Affairs on S.B. No. 2640

The purpose and intent of this measure is to reduce the Department of Hawaiian Home Lands waitlist by authorizing the department to provide beneficiaries with a cash award to purchase a residential lot outside of the department's trust lands, or to pay the beneficiary's existing mortgage note or rent in lieu of awarding the beneficiary a lease.

Your Committee received testimony in support of this measure from two individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee received comments on this measure from the Department of the Attorney General, Department of Hawaiian Home Lands, and one individual.

Your committee finds that there are approximately twenty-four thousand native Hawaiian beneficiaries on the Department of Hawaiian Home Lands waitlist. However, the Department of Hawaiian Home Lands does not possess sufficient land to house everyone on the waitlist. This measure simultaneously meets the housing needs of beneficiaries and reduces the number of beneficiaries on the waitlist by amending the Hawaiian Homes Commission Act to allow the Department of Hawaiian Home Lands to provide beneficiaries with a cash award in lieu of a lease.

Your Committee has amended this measure by:

- (1) Specifying that the Department of Hawaiian Home Lands may expend funds for this measure at the sole discretion of the Hawaiian Homes Commission;
- (2) Clarifying that any beneficiary that accepts a cash award shall relinquish only their right to reapply to the waitlist and is otherwise entitled to other rights provided by the Hawaiian Homes Commission Act, 1920, as amended;
- (3) Specifying that this measure shall not create any entitlement to a cash award;
- (4) Specifying that the failure of the Hawaiian Homes Commission to authorize cash awards shall not give rise to breach of trust or fiduciary duty claims;
- (5) Specifying that the funds available in the Hawaiian Home Loan Fund shall be expended for the purposes of this measure;
- (6) Making the effective date upon either the date congressional consent is deemed unnecessary or on the date of consent by the United States Congress; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency;

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2640, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2640, 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, 1 (Fevella). Excused, 1 (Richards).

SCRep. 2133 Hawaiian Affairs on S.B. No. 2435

The purpose and intent of this measure is to 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 or older or terminally ill, under certain conditions.

Your Committee received testimony in support of this measure from Ho‘omana Pono, LLC, and three individuals.

Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that as recently as 2022, there were more than twenty-eight thousand native Hawaiian beneficiaries on the homestead lease waiting list. 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 inherit a lease. This measure will help qualified successors gain homestead leases.

Your Committee has amended this measure by:

- (1) Specifying that the purpose of this measure is to allow the Department of Hawaiian Home Lands to administer an undivided interest lease award program;
- (2) Specifying that qualified successors shall be of at least twenty-five per cent blood quantum;
- (3) Clarifying that the Department of Hawaiian Home Lands may administer the undivided interest lease award program for certain native Hawaiians at the sole discretion of the Hawaiian Homes Commission;
- (4) Inserting a definition of “terminally ill”;
- (5) Providing the Department of Hawaiian Home lands with two years from its effective date to administer this measure;
- (6) Making the measure effective on either the date congressional consent is deemed unnecessary or on the date of consent of the United State Congress; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2435, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2435, 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 (Richards).

SCRep. 2134 Hawaiian Affairs on S.B. No. 2780

The purpose and intent of this measure is to require the Department of Hawaiian Home Lands to complete an assessment and report on the feasibility of digitizing its applicant, beneficiary, and lessee records and create an interactive database software program.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands; Ho‘omana Pono, LLC; and five individuals.

Your Committee received comments on this measure from one individual.

Your Committee finds that it is the obligation of the Department of Hawaiian Home Lands to develop and deliver land to native Hawaiian beneficiaries. However, it is difficult for the Department to fulfill this mission as its information systems are outdated and spread across multiple locations. Beneficiaries seeking to determine their status may spend weeks finding and gathering that information. This measure will assist the Department in implementing an interactive digital database, which would improve efficiency within the Department.

Your Committee notes that the Department of Hawaiian Home Lands is currently in the process of modernizing its system and is seeking an estimated \$6,000,000 for implementation of the interactive digital database.

Your Committee has amended this measure by:

- (1) Specifying that the Department of Hawaiian Home Lands shall complete an interactive digitized beneficiary assessment in place of assessing and reporting on the feasibility of creating an interactive digital database;
- (2) Requiring the Department of Hawaiian Home Lands to complete implementation of the interactive digitized data within two years of the effective date of this measure;
- (3) Directing the appropriation of unspecified amount of funds for the interactive beneficiary assessment and implementation of the digital database; 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. 2780, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2780, 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. 2135 Housing on S.B. No. 2337

The purpose and intent of this measure is to expand the counties' authority to facilitate the development, construction, financing, refinancing, or other provision of mixed-income projects and mixed-use developments, including low- and moderate-income housing projects, and issue bonds for this purpose.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Office of Housing of the City and County of Honolulu, Pacific Resource Partnership, Hawaii Regional Council of Carpenters, and Hawai'i YIMBY.

Your Committee received comments on this measure from the Department of Land and Natural Resources and Grassroot Institute of Hawaii.

Your Committee finds that, while the Hawaii Housing Finance and Development Corporation is authorized to facilitate the development, construction, financing, and refinancing of mixed-use developments, including low- and moderate-income housing projects, under existing law, the counties are not authorized to use affordable housing bonds to develop mixed-use housing projects. The ability to plan, design, and construct mixed-use development is essential to efforts to develop affordable housing projects in transient-oriented communities, which provide residents access to commercial, retail, institutional, educational, and government services, combined with convenient access to multi-modal transportation networks. This measure remedies this inconsistency by providing the counties with the same authority as the Hawaii Housing Finance and Development Corporation with respect to mixed-use development.

Your Committee has amended this measure by:

- (1) Deleting language referencing "mixed-income projects" throughout the measure;
- (2) Deleting the definition of "mixed-income projects"; and
- (3) Deleting language that would have authorized units in low- and moderate-income housing projects to be made available to households with higher incomes if there is an insufficient number of persons or families who meet the income qualifying requirements.

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. 2337, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2337, 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 (Aquino, Kanuha).

SCRep. 2136 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on S.B. No. 2498

The purpose and intent of this measure is to:

- (1) Establish the Cesspool Conversion Revolving Loan Fund to provide financing to low- and moderate-income households for cesspool conversions and other authorized uses;
- (2) Require the Hawaii Green Infrastructure Authority to administer the Cesspool Conversion Revolving Loan Fund and submit annual reports to the Legislature; and
- (3) Make an appropriation for one full-time equivalent (1.0 FTE) program management and loan officer position and to provide loans or other financial assistance to eligible borrowers for cesspool conversions or other authorized uses.

Your Committees received testimony in support of this measure from the Hawaii Green Infrastructure Authority, Hawai'i Climate Change Mitigation and Adaptation Commission, Hawai'i Association of REALTORS, Hawaii Young Republicans, Hawai'i Reef and Ocean Coalition, Wastewater Alternatives and Innovations LLC, Public Access to SunScreens Coalition, and six individuals.

Your Committees received testimony in opposition to this measure from the State Procurement Office.

Your Committees received comments on this measure from the Department of Health and Public Utilities Commission.

Your Committees find that to reduce water pollution, unless exempted by the Department of Health, all cesspools in the State are required, to be updated or converted to another method of waste disposal or connected to a sewerage system by January 1, 2050. Your Committees recognize that the high cost to upgrade, convert, or connect a cesspool prevent property owners from promptly complying with this legislative mandate. Your Committees further find that actual progress towards the upgrade, conversion, and connection of cesspools must begin soon for property owners to meet the statutory deadline of January 1, 2050, and believe that the State should make upgrading, converting, and connecting practicable for the average cesspool owner. This measure will provide much-needed financing to low- and moderate- income households for cesspool conversions.

According to testimony received by your Committees, the full-time equivalent program management and loan officer position can be funded by the earned interest income of the Authority's green energy market securitization-funded loan program instead of general funds.

Your Committees have amended this measure by:

- (1) Amending all references to "the solar photovoltaic and energy storage loan program" to refer to "any solar or energy storage program";
- (2) Requiring the Hawaii Green Infrastructure Authority to comply with the State Procurement Code when entering into contracts for the administration of the Green Infrastructure Loan Program, loan fund programs supported by the Clean Energy and Energy Efficiency Revolving Loan Fund, and Cesspool Conversion Revolving Loan Fund;
- (3) Deleting language that would have allowed the Authority to implement and administer a cesspool conversion revolving loan fund program with funds from the Water Pollution Control Revolving Fund and replacing it with language that allows the Authority to reference as an example the loan program funded under section 342D-33, provided by the Department of Health;
- (4) Deleting language that would have appropriated funds for one full-time equivalent (1.0 FTE) program management and loan officer position and to provide loans or other financial assistance to eligible borrowers for cesspool conversions or other authorized uses; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2498, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2498, S.D. 1, and be referred to your Committees on Water and Land and Health and Human Services.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Fevella).

SCRep. 2137 (Majority) Judiciary on H.B. No. 824

The purpose and intent of this measure is to establish 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 Hawaii Paroling Authority and Women's Prison Project.

Your Committee received testimony in opposition to this measure from the American Civil Liberties Union of Hawai'i and one individual.

Your Committee received comments on this measure from the Department of Corrections and Rehabilitation.

Your Committee finds that the United States federal prison system and many states grant some kind of medical or compassionate release under certain circumstances. Compassionate release provides physicians and other medical professionals an opportunity to use their unique expertise and knowledge of prognosis, geriatrics, cognitive and functional decline, and palliative medicine to ensure that medical criteria for compassionate release are appropriately evidence-based, which in turn allows criminal justice professionals to better determine whether or not an inmate should be granted medical release. This measure will allow certain ill or impaired inmates who pose a low risk to public safety to receive appropriate levels of care and medical treatment by creating a medical or compassionate release program.

Your Committee has amended this measure by:

- (1) Deleting language that would have required that a request for medical release made by an inmate or an inmate's representative be accompanied by a recommendation for medical release by a physician who is licensed to practice medicine in the State;
- (2) Requiring the Director of Corrections and Rehabilitation to forward a report of an inmate's request for medical release to the Hawaii Paroling Authority within twenty days of receiving the request;
- (3) Requiring the Hawaii Paroling Authority to hold a hearing on a request for medical release within ten days of receiving a medical release report from the Department of Corrections and Rehabilitation;
- (4) Requiring the Hawaii Paroling Authority to grant or deny a request for medical release within two days following a hearing on a request for medical release;
- (5) Requiring the Director of Corrections and Rehabilitation to appoint an advocate for any inmate who requests medical release and is unable, due to incapacitation or debilitation, to advocate on the inmate's own behalf;

- (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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 824, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 824, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 2138 Housing on S.B. No. 2133

The purpose and intent of this measure is to:

- (1) Authorize the Hawaii Housing Finance and Development Corporation (HHFDC) to issue bonds for housing project infrastructure and finance the development of regional state infrastructure projects;
- (2) Exempt bonds issued by HHFDC for improvements by assessments, and the interest thereon, from state, county, and municipal taxation, with certain exceptions;
- (3) Include proceeds from bonds issued for regional state infrastructure projects as a source of revenue for regional state infrastructure subaccounts; and
- (4) Authorize regional state infrastructure subaccount revenues to be used to repay regional state infrastructure project bond holders.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Office of Planning and Sustainable Development, and one individual.

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 housing statewide. These costs are typically paid by private housing developers who, in turn, pass them on to homebuyers or renters. This measure provides a much-needed predictable revenue source to help finance regional public infrastructure to facilitate transient-oriented development and affordable housing production in the State.

Your Committee notes the concerns raised in testimony that bonds issued by the State require a reliable source of revenue for the repayment of the bonds. According to testimony received by your Committee, the HHFDC will use the assessments to repay the bonds.

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. 2133 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 (Aquino).

SCRep. 2139 Housing on S.B. No. 2027

The purpose and intent of this measure is to restrict any county from disapproving or imposing certain conditions on the development of a housing development project or emergency shelter unless the county meets certain requirements.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Grassroot Institute of Hawaii, Church of the Crossroads, Aloha United Way, Hawai'i Children's Action Network Speaks!, one member of the Maui county council, and three individuals.

Your Committee received testimony in opposition to this measure from the City and County of Honolulu Department of Planning and Permitting.

Your Committee received comments on this measure from the Department of Land and Natural Resources and one individual.

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) Inserting language specifying that a county shall not consider an application complete unless the county has made a reasonable and good faith determination that the proposed project does not affect historic properties, archeological resources, or burial sites or alternatively requiring developers to provide documentation showing the developer worked with the State Historic Preservation Division and completed any work needed to satisfy chapter 6E, Hawaii Revised Statutes;
- (2) Inserting language to require developers to show documentation that the proposed development does not encroach upon certain Special Flood Hazard Areas, or that the project has been reviewed for floodplain management compliance and received a permit for construction by the applicable community official; 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. 2027, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2027, S.D. 1, and be 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 (Aquino).

SCRep. 2140 (Majority) Housing on S.B. No. 2029

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 or renters, and do not own any other real property; and
- (2) Require each county to submit certain reports to the Legislature.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and Church of the Crossroads.

Your Committee received testimony in opposition of this measure from the City and County of Honolulu Department of Planning and Permitting.

Your Committee received comments on this measure from the Grassroot Institute of Hawaii.

Your Committee finds that the counties play a major role in setting policies that impact the production of housing in the State. Your Committee recognizes that counties have used inclusionary zoning rules to encourage the creation of affordable housing in the State. According to testimony received by your Committee, well-intentioned inclusionary zoning makes housing less affordable, since developers respond to such mandates by building fewer affordable housing units. This measure will 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 Committee has amended this measure by:

- (1) Inserting legislative findings;
- (2) Deleting language that would have required counties to submit certain reports to the Legislature; 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. 2029, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2029, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Kanuha).

SCRep. 2141 Housing on S.B. No. 2042

The purpose and intent of this measure is to establish a permit process that shifts the responsibility for code compliance from the counties to the design professional for all single-family and multi-family residential projects by requiring counties to grant building permits within sixty days if applications are stamped and certified by the design professional.

Your Committee received testimony in support of this measure from Stanford Carr Development, LLC; Hawaii Habitat for Humanity Association; Building Industry Association; Hawaii Chamber of Commerce Hawaii; and one member of the Maui County Council.

Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee received comments on this measure from the Department of Land and Natural Resources and Grassroot Institute of Hawaii.

Your Committee finds that Hawaii has some of the longest processing times for residential building permits. A study prepared by the University of Hawaii Economic Research Office in April 2022 found that, on average, Hawaii homebuilders wait three times longer for permits than those in other states, which drives up costs significantly and creates uncertainty, serving as a disincentive to build new projects. Your Committee also finds that in other municipalities around the country, building plans are not scrutinized to the extent that they are in Hawaii counties, which contributes to these delays. Given that similar professional self-certification programs have proven to be successful in other jurisdictions, this measure will shorten the permit review process by shifting the responsibility of meeting building codes onto the design professionals without compromising the safety and quality of construction.

Your Committee notes the concerns raised in testimony that allowing third-party reviewers to review permit applications contradicts what has customarily and historically been performed by civil service employees and that it is the county's responsibility to make sure that building plans meet applicable codes for the public's safety and welfare. Your Committee finds that these concerns merit further consideration and requests that subsequent Committees that may hear this measure further examine these issues as the measure moves through the legislative process.

Your Committee has amended this measure by:

- (1) Inserting language specifying that if a permit is not approved by the county within sixty days of a complete application being filed, it shall be deemed approved; provided that county approval has not been delayed due to non-compliance of the permit with applicable state law or county ordinances;
- (2) Inserting language establishing that an application shall not be considered complete until:
 - (A) Either the county has made a reasonable and good faith determination that the project does not have the potential to affect historic properties, archeological resources, or burial sites; or the project has completed the process under chapter 6E, Hawaii Revised Statutes; and
 - (B) The developer submits documentation evidencing that the proposed development does not encroach in certain flood hazard areas, or has been reviewed for floodplain management compliance and has been issued a development permit for construction by the applicable community official; 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. 2042, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2042, 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 (Kanuha).

SCRep. 2142 Housing on S.B. No. 2043

The purpose and intent of this measure is to prohibit the Hawaii Housing Finance and Development Corporation from forgiving loans made from the Rental Housing Revolving Fund.

Your Committee received testimony in support of this measure from one individual.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the Rental Housing Revolving Fund provides gap-financing for developers who construct or rehabilitate affordable housing under the Low-Income Housing Tax Credit program. Typically, developers who receive financing from the Rental Housing Revolving Fund own the housing projects and are entitled to earn unlimited amounts of profits from tax-payer financed buildings. Your Committee therefore finds that it is against the public interest to allow these taxpayer-financed loans to be eligible for forgiveness.

Your Committee has amended this measure by:

- (1) Making a conforming amendment to section 201H-86, Hawaii Revised Statutes, to align with the purpose of 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2043, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2043, 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. 2143 Housing on S.B. No. 2066

The purpose and intent of this measure is to require certain projects meeting the criteria of section 201H-38(a)(1), Hawaii Revised Statutes, to be exclusively for sale or rent to occupants who are Hawaii residents who own no other real property.

Your Committee received testimony in support of this measure from Church of the Crossroads.

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 Hawaii currently has an affordable housing shortage. Lack of affordable housing has contributed to an increasing number of residents of the State moving to other states in search of more affordable housing options, and wealthy residents of other states pricing out local families. This measure aims to combat such issues by requiring certain housing projects be made available only to State residents who own no other real property.

Your Committee has amended this measure by requiring certain projects meeting the criteria of section 201H-38(a)(1), Hawaii Revised Statutes, to instead be made available exclusively for sale or rent to qualified residents as defined in section 201H-32, Hawaii Revised Statutes, who are deemed to be moderate income households.

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. 2066, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2066, 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 (Kanuha).

SCRep. 2144 (Majority) Housing on S.B. No. 2833

The purpose and intent of this measure is to appropriate funds to establish a project management III position within the Hawaii Housing Finance and Development Corporation to aid in the development of affordable housing options in the State.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development and the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the Hawaii Housing Finance and Development Corporation is the primary agency charged with overseeing the development of affordable housing in the State. Your Committee also finds that development of temporary and permanent affordable housing on Maui, administration of infrastructure loans for Maui, development of a leasehold project at the University of Hawaii West Oahu, and infrastructure and project coordination to implement the Mahelona Transit-Oriented Development Master Plan on Kauai are projects that require additional HHFDC resources. This measure aims to resolve these issues through the establishment of a project management III position within HHFDC.

According to the testimony of HHFDC received by your Committee at the public hearing on this measure, HHFDC may require additional positions, including a financial specialist and compliance specialist. Your Committee notes HHFDC's need for further personnel planning and finds that these issues merit further consideration. Your Committee respectfully requests that these issues be examined further, should subsequent Committees choose to hear this measure as it advances through the legislative process.

Your Committee has amended this measure by:

- (1) Clarifying the position title as "project manager III"; and
- (2) Inserting an appropriation amount of \$213,785 for the establishment of one (1.0 FTE) project manager III position; provided that this amount shall represent an annual salary of \$130,000 plus fringe benefits.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2833, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2833, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Kanuha).

SCRep. 2145 Energy, Economic Development, and Tourism on S.B. No. 2122

The purpose and intent of this measure is to extend the State's energy efficiency portfolio standards from 2030 to 2045 and to further develop and clarify procedures for the energy-efficiency portfolio standards established and overseen by the Public Utilities Commission.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy, Hawaii State Energy Office, Hawai'i Climate Change Mitigation and Adaptation Commission, Public Utilities Commission, Blue Planet Foundation, Hawai'i Energy, Hawaiian Electric, Democratic Party of Hawai'i, Ulupono Initiative, Climate Protectors Hawaii, Energy and Climate Action Committee of the Environmental Caucus of the Democratic Party of Hawai'i, 350Hawaii, Wild Kids, and eight individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that as the State progresses toward its renewable energy and decarbonization goals, improving energy efficiency remains the most cost-effective way to reduce emissions associated with electricity generation and consumption, while providing financial benefits for customers. Act 155, Session Laws of Hawaii 2009, codified energy efficiency goals through the establishment of an energy-efficiency portfolio standard. Fifteen years later, your Committee further finds that it is appropriate to extend these energy efficiency goals and ensure that the Public Utilities Commission may continue its work developing and overseeing the State's energy-efficiency portfolio standards beyond 2030.

Your Committee has amended this measure by inserting an effective date of January 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on 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. 2122, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2122, S.D. 1, and be referred to your 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. 2146 Energy, Economic Development, and Tourism on S.B. No. 2081

The purpose and intent of this measure is to establish the Aerospace and Aeronautics Development Program within the Department of Business, Economic Development, and Tourism and to appropriate funds for the establishment of the program.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Technology Development Corporation; Alliance for Collaboration in the Exploration of Space; Mahina Aerospace, LLC; Maui Economic Development Board; Hawaii Island Economic Development Board; Interstel Technologies, Inc.; Hawaii Leeward Planning Conference; Hawaii Young Republicans; and six individuals.

Your Committee finds that the aeronautics and aerospace industries hold great potential to enable future development and innovation in science and technology in the State. This measure establishes the Aerospace and Aeronautics Development Program to provide a focal point within state government to facilitate dialogue and coordination among the State's public, private, and academic

sectors, and to support the State in becoming a major contributor to, and beneficiary of, global space enterprise. This measure further can help the State increase high paying jobs in local communities and diversify the State's economy.

Your Committee has amended this measure by inserting an effective date of January 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on 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. 2081, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2081, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2147 Energy, Economic Development, and Tourism on S.B. No. 2504

The purpose and intent of this measure is to repeal:

- (1) Part II of Act 66, Session Laws of Hawaii 2023, which requires 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 related aspects of the State's hydrogen energy industry; and
- (2) The respective appropriation to the Department of Business, Economic Development, and Tourism.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, 350Hawaii, and Environmental Caucus of the Democratic Party of Hawai'i.

Your Committee finds that it is necessary to repeal Part II of Act 66, Session Laws of Hawaii 2023, as the application of the Hawaii Pacific Hydrogen Hub was not selected for funding by the United States Department of Energy. Your Committee notes that although the Hawaii Pacific Hydrogen Hub proposal was not selected, the Hawaii State Energy Office has gained considerable knowledge that could accelerate the development of green hydrogen use in the State and that two projects included in the proposal are still moving forward.

Your Committee has amended this measure by inserting an effective date of January 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on 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. 2504, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2504, 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. 2148 Judiciary on S.B. No. 2374

The purpose and intent of this measure is to appropriate moneys for the Judiciary's supplemental budget for the 2023-2025 biennium.

Your Committee received testimony in support of this measure from the Judiciary and the Hawaii State Bar Association.

Your Committee finds that the supplemental appropriations made by this measure will help the Judiciary fulfill its mandates and address a growing demand for judicial services.

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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2374, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2374, 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. 2149 Judiciary on S.B. No. 2385

The purpose and intent of this measure is to:

- (1) Propose an amendment to the Hawaii State Constitution to place procedural restrictions on the timing of judicial appointments and confirmations;
- (2) Establish a window between September 1 and November 30 during which the Judicial Selection Commission may not present a list of nominees to the Governor or Chief Justice; and
- (3) Provide that if multiple judicial vacancies occur between regular sessions of the Legislature, the Senate shall be called into not more than two special sessions to consent to a judicial appointment.

Your Committee received no testimony on this measure.

Your Committee finds that requiring the Senate to be called into multiple special sessions to consent to a judicial appointment requires paying for transportation and other necessary expenses for Senators who do not reside on Oahu. This measure will improve

government efficiency and save taxpayer money by placing procedural restrictions on the timing of judicial appointments and confirmations.

Your Committee notes that the cost for the Senate to conduct a two-day special session to confirm judges and justices is at least \$5,200 per session, to cover costs associated with the participation of neighbor island Senators. If additional time for the session is required, the cost will increase.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2385 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. 2150 Judiciary on S.B. No. 2375

The purpose and intent of this measure is to establish one additional district court judgeship in the First Circuit.

Your Committee received testimony in support of this measure from the Judiciary and Hawaii State Bar Association.

Your Committee finds that it has been more than forty years since the last district court judge was authorized in 1982. Since then, there has been a significant increase in the population of the City and County of Honolulu. According to the Department of Business, Economic Development, and Tourism, the population of the City and County of Honolulu grew from 762,565 in 1981 to 1,000,890 in 2021. Presently, the Judiciary relies heavily on per diem judges to preside over district court calendars. However, the availability of per diem judges is often limited because most per diem judges are practicing attorneys with other professional responsibilities. This measure will enable the district court to better manage court dockets and be more responsive to the needs of the community while also increasing capacity in rural courts and developing and expanding 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. 2375 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. 2151 (Majority) Judiciary on H.B. No. 129

The purpose and intent of this measure is to:

- (1) Provide that a mandatory recount shall occur when the difference in votes cast is equal to the lesser of one hundred votes or less, or one-quarter of one percent of the total votes cast for the contest; and
- (2) Establish that the filing deadline for a complaint for a contest for cause that arises from a mandatory recount shall be the same as the filing deadline for complaints for contests in which no mandatory recount was held.

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 six individuals.

Your Committee finds that since the implementation of automatic recounts beginning with the 2020 elections, there have been eleven automatic recounts. The vast majority of the recounts were triggered in conjunction with a primary election, due in part to the size of some single-party primary contests being so small that the one hundred vote threshold in existing law triggered a recount even though the vote difference did not come close to meeting the alternate trigger of a vote difference of one-quarter of one percent of the total number of votes cast for the contest or less. For example, during the 2022 primary election, the recount for State Representative District 20 was due to the vote differential being eighty-seven, despite the percentage difference being 6.3 percent of votes cast. This measure will provide election staff and volunteers adequate time to recount impacted contests while also modifying the threshold for determining an automatic recount to address the margin of votes between candidates in small races.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 129, 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. 2152 Hawaiian Affairs on S.B. No. 3112

The purpose and intent of this measure is to increase the loan limit for direct loans provided by the Department of Hawaiian Home Lands from fifty percent to seventy-five percent of the maximum single residence loan amount allowed in Hawaii by the United States Department of Housing and Urban Development's Federal Housing Administration, as currently outlined in Section 215 of the Hawaiian Homes Commission Act, 1920, as amended.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands; Ho'omana Pono, LLC; and four individuals.

Your Committee finds that the Department of Hawaiian Home Lands provides direct loans for the repair, maintenance, purchase, and erection of a dwelling. However, the Hawaiian Homes Commission Act, 1920, as amended, stipulates that these loans cannot exceed fifty percent of the maximum single residence loan amount allowed in Hawaii by the United States Department of Housing and

Urban Development's Federal Housing Administration. This measure will enable the Department of Hawaiian Home Lands to better serve beneficiaries seeking to purchase or make improvements to their home by increasing the loan limit from fifty percent to seventy-five percent of the maximum single residence loan amount allowed in Hawaii by the Federal Housing Administration.

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. 3112 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2153 Hawaiian Affairs on S.B. No. 3109

The purpose and intent of this measure is to:

- (1) Amend the appropriation in section 6, of Act 279, Session Laws of Hawaii 2022 (Act 279), to conform with the Hawaii State Constitution; and
- (2) Appropriate funds to the Department of Hawaiian Home Lands for fiscal year 2024-2025 to give practical effect to the intent behind Act 279.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands; Department of Budget and Finance; Ho'omana Pono, LLC; and one individual.

Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that Act 279 does not conform with the Hawaii State Constitution's provision that no appropriation shall be made for a period exceeding three years. To meet this requirement and to fulfill the purpose of Act 279, this measure will amend the appropriation of Act 279 and make a new appropriation of general funds for fiscal year 2024-2025 to the Department of Hawaiian Home Lands.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3109 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2154 Hawaiian Affairs on S.B. No. 3113

The purpose and intent of this measure is to increase the allowable loan term for direct loans provided by the Department of Hawaiian Home Lands from thirty years to forty years.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands; Ho'omana Pono, LLC; and five individuals.

Your Committee finds that the United States Department of Agriculture's Section 502 Direct Loan Program provides a loan term of thirty-eight years; however, loans administered by the Department of Hawaiian Home Lands for the beneficiaries of the Hawaiian Homes Commission Act, 1920, as amended, have maximum terms of thirty years. This measure addresses this discrepancy by amending the Hawaiian Homes Commission Act, 1920, as amended, to increase the term for direct loans provided by the Department of Hawaiian Home Lands to forty years.

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. 3113 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2155 (Joint) Hawaiian Affairs and Public Safety and Intergovernmental and Military Affairs on S.B. No. 2645

The purpose and intent of this measure is to establish a compliance and enforcement program within the Department of Hawaiian Home Lands to investigate complaints, conduct investigations, and cooperate with law enforcement authorities to ensure compliance with laws.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands; Wai'anae Valley Homestead Community Association; Keaukaha Community Association; Ho'omana Pono, LLC; Kapalama Neighborhood Security Watch; and eight individuals.

Your Committees received testimony in opposition to this measure from the Department of Law Enforcement and two individuals.

Your Committees find that the health and safety of homestead communities is a top priority. Illegal activity occurring on Hawaiian Home Lands threatens the health and safety of the community. This issue is exacerbated by law enforcement's inconsistent responses to illegal activity on Hawaiian Home Lands across the counties. This measure will provide for enforcement personnel dedicated to Hawaiian Home Lands.

Your Committees have amended this measure by:

- (1) Changing the appropriation amount from \$500,000 to a blank amount; and

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

Your Committees note that \$2,000,000 is an approximate amount for the establishment of a compliance and enforcement program within the Department of Hawaiian Home Lands. Your Committees also note that Senate Bill No. 490, S.D. 2 (2023), a carryover measure from the Regular Session of 2023, is similar in intent and purpose to this measure, includes language recommended by the Department of Law Enforcement, and may still be considered this session.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs 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. 2645, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2645, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chairs on behalf of the Committees.

Hawaiian Affairs: Ayes, 5. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

SCRep. 2156 (Joint) Energy, Economic Development, and Tourism and Agriculture and Environment on S.B. No. 2805

The purpose and intent of this measure is to:

- (1) Require the Agribusiness Development Corporation to develop a program to educate and assist farmers and ranchers in the process of transitioning agricultural businesses to new owners;
- (2) Require the program to connect individuals interested in entering farming or ranching, or existing farmers or ranchers interested in expanding their business, with farmers and ranchers who have not yet identified a successor owner; and
- (3) Appropriate money.

Your Committees received testimony in support of this measure from the Agribusiness Development Corporation; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; and one individual.

Your Committees received comments on this measure from the Department of Agriculture.

Your Committees find that the State's total amount of agricultural land has decreased by over twenty-seven thousand acres since 2015 and that this is in part due to the aging of the agricultural workforce. Because younger generations in farming families are often reluctant to take over family farms, many farmlands in the State are at risk of falling fallow which could further compromise the State's food security. Your Committees further find that this measure effectively supports the process of transitioning agricultural businesses to the next generation through a succession planning education program developed by the Agribusiness Development Corporation.

Your Committees have amended this measure by:

- (1) Inserting an effective date of January 1, 2060, 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 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. 2805, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2805, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 2157 (Joint/Majority) Energy, Economic Development, and Tourism and Agriculture and Environment on S.B. No. 2801

The purpose and intent of this measure is to:

- (1) Require the Department of Business, Economic Development, and Tourism to identify sites throughout the State that are suitable for the development of slaughterhouses;
- (2) Require the Agribusiness Development Corporation to plan, design, construct, and operate certain animal slaughterhouses throughout the State; and
- (3) Appropriate moneys for the development of slaughterhouses throughout the State.

Your Committees received testimony in support of this measure from the Agribusiness Development Corporation; Hawai'i Farm Bureau; Hawaii Food Industry Association; Hawaii Cattlemen's Council, Inc.; Hawaii Leeward Planning Conference; Hawaii Young Republicans; and two individuals.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that the number of animal slaughterhouses in the State, and their respective capacities, are limited. If any existing slaughterhouse were to cease operations, the effects on the State's food supply, market, businesses, and consumers could be devastating. Your Committees further find that this measure can avert this potential outcome and help to ensure a sustainable source of animal protein for the State's consumers.

Your Committees have amended this measure by:

- (1) Adding axis deer to the list of animals to be harvested and processed;
- (2) Inserting an effective date of January 1, 2060, 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 Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2801, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2801, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 4; Ayes with Reservations (Gabbard). Noes, 1 (Rhoads). Excused, none.

SCRep. 2158 (Joint/Majority) Energy, Economic Development, and Tourism and Agriculture and Environment on S.B. No. 2768

The purpose and intent of this measure is to require the Hawaii State Energy Office to adopt rules governing a clean fuel standard for gasoline and diesel in the State.

Your Committees received testimony in support of this measure from the Hawai'i Climate Change Mitigation and Adaptation Commission, Neste, Clean Energy U.S., Biotechnology Innovation Organization, and two individuals.

Your Committees received testimony in opposition to 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 Hawai'i State Energy Office, Alliance for Automotive Innovation, Hawaiian Electric, Par Hawaii, and 350Hawaii.

Your Committees find that a clean fuel standard is central to reducing the State's greenhouse gas emissions. Without policy specific to the transportation sector, emissions reductions will not be achieved in a timeframe consistent with the State's goal. Your Committees further find that a clean fuel standard that is technology-neutral and market-based is an effective policy for reducing emissions in the transportation sector while also achieving other co-benefits.

Your Committees also find that the specific goals for carbon reduction and allocation amounts for clean energy programs merits further consideration and requests that subsequent Committees who choose to hear this measure as it advances through the legislative process further examine and make recommendations on the unspecified percentage levels for carbon intensity reduction and annual deficit allocation to clean energy programs.

Accordingly, your Committees have amended this measure by:

- (1) Inserting an effective date of January 1, 2060, 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 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. 2768, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2768, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

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. 2159 (Joint) Energy, Economic Development, and Tourism and Agriculture and Environment on S.B. No. 2824

The purpose and intent of this measure is to:

- (1) Authorize the Director of Finance to issue general obligation bonds to the Agribusiness Development Corporation for the upgrade of South and West Maui's R-1 water delivery systems, and the upgrade of certain water reservoirs located in the forest watershed areas of South and West Maui;
- (2) Require the Agribusiness Development Corporation to collaborate with the Department of Land and Natural Resources, County of Maui, and private land owners, as necessary; and
- (3) Appropriate moneys.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, one member of the Maui County Council, Hawai'i Farm Bureau, Hawaii Young Republicans, and two individuals.

Your Committees received comments on this measure from the Department of Land and Natural Resources and Agribusiness Development Corporation.

Your Committees find that without increasing the use of reclaimed water in the State, residents will encounter potable drinking water shortages caused by overuse of potable drinking water for agricultural, landscaping, or firefighting purposes. Your Committees further find that this measure will utilize former plantation reservoirs to store reclaimed water, allowing for easier access for agriculture and landscaping use for West Maui and providing firefighters with efficient access to water.

Your Committees further find that the amounts for the general obligation bonds and costs of the capital improvement projects in this measure merit further consideration and request that your Committee on Ways and Means examine and make recommendations as to these amounts. In addition, your Committees respectfully request that your Committee on Ways and Means consider appropriating funds to the Agribusiness Development Corporation for the implementation of this measure.

Your Committees have amended this measure by inserting an effective date of January 1, 2060, to encourage further discussion.

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. 2824, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2824, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 2160 (Joint/Majority) Energy, Economic Development, and Tourism and Agriculture and Environment on S.B. No. 2451

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 a strategy report to the Legislature by 2026 for the construction of at least one atmospheric carbon capture plant in the State by 2029.

Your Committees received testimony in support of this measure from one individual.

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 and five individuals.

Your Committees received comments on this measure from the Hawaii State Energy Office, Hawai'i Natural Energy Institute of the University of Hawaii System, and Life of the Land.

Your Committees find that the threats posed by climate change are of concern to the State. Advances in technology now allow for carbon to be scrubbed from the atmosphere through the operation of carbon capture plants like those constructed in other jurisdictions that have successfully removed millions of tons of atmospheric carbon dioxide. Construction of any carbon capture plants in the State will require extensive preparation, such as a thorough environmental review and a robust lifecycle emissions analysis to determine the efficacy of the carbon capture plant due to the substantial energy requirements of atmospheric carbon capture.

Your Committees have heard the concerns raised in testimony concerning the proposed timeframe for development of a carbon removal plant for technical and cost reasons. Your Committees find that this concern merits further consideration and requests that subsequent Committees who choose to hear this measure further examine the feasibility of the proposed construction deadline, including recommendations on construction time, cost, and environmental impact.

Accordingly, your Committees have amended this measure by:

- (1) Inserting an unspecified date for the proposed construction deadline for the development of a carbon capture plant, to encourage further discussion;
- (2) Inserting an effective date of January 1, 2060, 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 Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2451, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2451, 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, Fevella). Noes, none. Excused, none.

Agriculture and Environment: Ayes, 4; Ayes with Reservations (Richards). Noes, 1 (Awa). Excused, none.

SCRep. 2161 (Joint) Energy, Economic Development, and Tourism and Agriculture and Environment on S.B. No. 2767

The purpose and intent of this measure is to clarify that the Natural Energy Laboratory of Hawaii Authority's duties include supporting aquaculture.

Your Committees received testimony in support of this measure from the Department of Agriculture; Agribusiness Development Corporation; Natural Energy Laboratory of Hawaii Authority; Hawai'i Farm Bureau; Kowa Premium Foods Hawaii Corporation; EcoponicX, Inc.; and Hawaii Young Republicans.

Your Committees find that while the Natural Energy Laboratory of Hawaii Authority (NELHA) currently manages aquaculture tenants and supports aquaculture industry development, this policy could change depending on economic or political shifts. The proposed language in this measure establishes a statutory relationship with aquaculture and signals to the aquaculture industry that NELHA will continue to support aquaculture into the future.

Your Committees have amended this measure by:

- (1) Inserting an effective date of January 1, 2060, 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 Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2767, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2767, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 2162 (Joint) Housing and Water and Land on S.B. No. 2011

The purpose and intent of this measure is to allow the construction of multi-family dwelling units on any lot within certain designated county zoning districts, subject to reasonable standards that each county may adopt.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Building Industry Association Hawaii, Grassroot Institute of Hawaii, and one individual.

Your Committees find that Hawaii is in critical need of more housing. Developing housing on undeveloped land can be challenging, as large upfront costs are required for infrastructure, including water and electricity, which can be prohibitive and deters potential development. This measure will reduce barriers by allowing construction of residential housing within non-residential zoned areas, to lower the cost of development as these areas already have the necessary infrastructure to support residential development in most cases.

Your Committees have heard the concerns raised in testimony regarding this measure's limited applicability to any newly created zoning district classifications, which may be adopted by the counties in the future. However, your Committees note that changing the land use ordinances to create new zoning classifications is difficult and is unlikely to occur.

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 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. 2011, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2011, 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).

Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2163 (Joint) Housing and Water and Land on S.B. No. 2064

The purpose and intent of this measure is to:

- (1) Allow the Hawaii Housing Finance and Development Corporation the right of first refusal for the development of property on certain state lands, that are within county-designated transit-oriented development zones, or within a one-half mile radius of a proposed or existing transit station if the county has not designated transit-oriented development zones, which shall be triggered by a proposed development or proposed transfer of fee simple or leasehold property interest; and
- (2) Require state departments to provide advance written notice of any approval of a proposed development as proposed transfer of lands.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Church of the Crossroads, 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 Department of Hawaiian Homelands and Disability and Communication Access Board.

Your Committees find that Hawaii is currently experiencing a housing crisis. In addition, Hawaii has faced several challenges in its attempts to lower the cost of housing. This measure will assist the State in its efforts to increase affordable housing supply near transit centers to save money on land costs, offer ease of access to public transit, and reduce the reliance on costly personal vehicles and garaging space.

Your Committees note that the Department of Land and Natural Resources currently has plans for four parcels near the planned rail station in East Kapolei. Rather than utilize these scarce transit-oriented development lands for construction of urgently-needed housing, the department intends to lease the parcels for income generating purposes. Your Committees further note that Kinau Hale is another site that could benefit from a larger mixed-use redevelopment project under the Hawaii Housing Finance and Development Corporation to provide workforce housing and office space, but the Department of Health instead plans to renovate the existing building purely for its own use. These are two examples of why this measure is necessary.

Your Committees also note the concerns raised in testimony regarding the minimum number of accessible housing units in public facilities. Currently only five percent of units are required to be accessible for individuals with mobility disabilities and two percent of units to be accessible for those with communication disabilities. The number of individuals in Hawaii with mobility and communication disabilities far exceed these minimums. Accordingly, your Committees note the need for additional supportive housing units in the State that are accessible for individuals with disabilities and request that these issues be taken into consideration as this measure moves through the legislative process.

Your Committees have amended this measure by:

- (1) Deleting language that would have allowed the Hawaii Housing Finance and Development Corporation to undertake any development project that does not involve a transfer of land, regardless of whether the state agency or department proposes to develop the lands;
- (2) Deleting language that would have established certain requirements for proposed transfers; 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. 2064, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2064, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

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

Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2164 (Joint) Energy, Economic Development, and Tourism and Government Operations on S.B. No. 2539

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, 2025; and
- (2) Require government entities in the State that issue building permits in areas served by an investor-owned electric utility to adopt a self-certification process for solar distributed energy resource systems that are not SolarAPP+ compatible.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office, Hawaii Green Infrastructure Authority, Ulupono Initiative, Hawaii Solar Energy Association, Hawaii Food Industry Association, Sunnova Energy International, Greenpeace Hawaii, Tesla, 350Hawaii, Sierra Club of Hawai'i, Discover Energy Systems, Sunrun, Meyer Burgers America, SunPower Corporation, Blue Planet Foundation, Kauai Climate Action Coalition, Photonworks Engineering LLP, Sol-Ark, Inception Financial LLC, Canadian Solar, Sun King Inc., Pacific Resource Partnership, The Solaray Corporation dba Inter-Island Solar Supply, PV Tech, and twenty individuals.

Your Committees received comments on this measure from the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects; and Associated Builders and Contractors, Hawaii Chapter.

Your Committees find that to progress towards the State's goal of a one hundred percent renewable portfolio standard by 2045, and to also encourage the timely build-out of a diverse, resilient, and reliable portfolio of low-cost renewable energy generation and storage assets, the State must lower administrative barriers that constrain deployment of residential and commercial-scale distributed energy resources. This measure addresses delays in the permitting process for solar distributed energy resource systems, saving ratepayers and contractors time and money while enabling faster reduction of carbon emissions.

Your Committees have heard the concerns raised in testimony regarding this measure's provisions that allow tying the issuance of building permits to labor standards, and whether these additional burdens help the State meet its renewable energy goals. Your Committees find that this issue merits further consideration and requests that subsequent Committees to which this measure is referred further examine this issue as this measure advances through the legislative process.

Your Committees have amended this measure by:

- (1) Inserting an effective date of January 1, 2060, 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 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. 2539, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2539, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 5. Noes, none. Excused, none.

SCRep. 2165 Energy, Economic Development, and Tourism on S.B. No. 2113

The purpose and intent of this measure is to appropriate moneys to the Hawaii Technology Development Corporation for its manufacturing assistance programs.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation; University of Hawai'i System; Hawai'i Farm Bureau; Chamber of Commerce of Hawaii; Holomua Collaborative; Oceanit; Hawaii Food Industry Association; Makai Ocean Engineering, Inc.; MorphOptic, Inc.; Big Island Coffee Roasters; Ai.Fish LLC; Experiad, LLC; Blue Startups; Koloa Rum Company; Hawaii Fish Company, Inc.; Tea Hawaii & Company; ThriveHI; Ho'onui, LLC; Kō Bakery; Island Plastic Bags, Inc.; Island Grown Foods, Inc. dba Hawaii Food Products; Mana Up; Aloha Shoyu Company, Ltd.; Hawaii Venture Capital Association; Startwise, Inc.; WaiHome, LLC; Chamber of Sustainable Commerce; Work Now Hawaii; KAI Hawaii, Inc.; Hawaii Standard Time Brewing; Ten Tomorrow; Ocean Era, Inc.; Hawaii Biotech, Inc.; Oceanic Imaging Consultants, Inc.; Hub Coworking Hawai'i; Guide Star Engineering, LLC; Hidden Gears; Sultan Ventures; XLR8HI; Cloudstone Innovations, Inc.; and eight individuals.

Your Committee finds that the State's manufacturing industry is a critical part of the State's economy and ongoing diversification efforts. Continued funding for the Hawaii Technology Development Corporation's programs such as the Hawaii Small Business Innovation Research Program, Manufacturing Assistance Grant Program, and Accelerator Grant Program, are crucial to moving innovation, commercialization, and manufacturing efforts forward in the State.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2060, 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. 2113, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2113, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Wakai, Fevella).

SCRep. 2166 Energy, Economic Development, and Tourism on S.B. No. 2518

The purpose and intent of this measure is to:

- (1) Appropriate moneys to the Hawaii Technology Development Corporation for geothermal energy exploration; and
- (2) Require surface and subsurface exploration and community outreach.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation, Ulupono Initiative, Chamber of Commerce Hawaii, Blue Planet Foundation, Hawaiian Electric, and nine individuals.

Your Committee received testimony in opposition to this measure from Na Iwi Kupuna and four individuals.

Your Committee received comments on this measure from the Hawaii State Energy Office and one individual.

Your Committee finds that to progress towards the State's goal of a one hundred percent renewable portfolio standard by 2045, new and innovative approaches must be explored. Geothermal is clean source of energy, with emissions as low as solar, wind, and hydropower. The State also faces many competing demands for land and geothermal projects use the least amount of land per megawatt of renewable power produced. Your Committee further finds that by investing in geothermal energy and outreach, the State can reduce its carbon footprint and help create a more sustainable future.

Your Committee has amended this measure by inserting an effective date of January 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on 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. 2518, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2518, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Wakai, Fevella).

SCRep. 2167 Energy, Economic Development, and Tourism on S.B. No. 2818

The purpose and intent of this measure is to require the Department of Business, Economic Development, and Tourism to conduct a study on the effect on businesses of increasing the minimum wage and appropriate moneys to conduct the study.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau and Retail Merchants of Hawaii.

Your Committee received testimony in opposition to this measure from the Democratic Party of Hawai'i, Imua Alliance, and Democratic Party of Hawai'i Labor Caucus.

Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism and UNITE HERE Local 5.

Your Committee finds that the assessment of increasing the minimum wage in the State needs to be thorough and comprehensive to factor in the adjustment's larger impact on the State's economy. Small agricultural businesses are especially vulnerable to any increase in costs. This measure will help ensure any minimum wage increase considers a proper balance in light of these concerns.

Your Committee acknowledges the concerns raised by the Department of Business, Economic Development, and Tourism that they do not have the adequate resources to conduct this study. The Department estimates the cost to hire a research firm to conduct surveys and prepare a report to be approximately \$200,000. Should your Committee on Ways and Means choose to hear this measure, your Committee respectfully requests that this amount be considered.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2060, 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. 2818, as amended herein, and recommends

that it pass Second Reading in the form attached hereto as S.B. No. 2818, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 3; Ayes with Reservations (Kim). Noes, none. Excused, 2 (Wakai, Fevella).

SCRep. 2168 Energy, Economic Development, and Tourism on S.B. No. 2497

The purpose and intent of this measure is to amend the tax credit for research activities by:

- (1) Increasing the total amount of certified credits to \$10,000,000 through 2029;
- (2) Extending the sunset date of the credit; and
- (3) Amending the definition of qualified high technology businesses that are eligible to claim the credit.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation; Chamber of Commerce Hawaii; Makai Ocean Engineering, Inc.; Hawaii Fish Company, Inc.; Oceanit; Hawaii Aerospace Corporation; and PacMar Technologies.

Your Committee received comments on this measure from the Department of Taxation, Department of Attorney General, and Tax Foundation of Hawaii.

Your Committee finds that the original \$5,000,000 annual cap for the income tax credit for research activities was reached almost as soon as online applications were opened. In 2022, out of the twenty-six companies that applied for the tax credit, only nine have received the credit due to the existing annual cap. This measure will support a wider distribution of tax credits to qualified companies for a longer period and will be effective in stimulating the local economy and creating quality jobs in the State.

Your Committee notes that the Senate Draft 1 of this measure contains an unspecified annual cap for the total amount of certified credits. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider the annual total amount of certified credits to be \$10,000,000 for the tax credit on research activities.

Your Committee has amended this measure by:

- (1) Amending the definition of “qualified high technology business” by removing the word “domiciled”;
- (2) Replacing the \$10,000,000 for the total amount of certified credits with an unspecified amount;
- (3) Inserting an effective date of January 1, 2060, 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 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. 2497, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2497, 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 (Wakai, Fevella).

SCRep. 2169 Energy, Economic Development, and Tourism on S.B. No. 2291

The purpose and intent of this measure is to establish advisory boards, focused on workforce development, for the Agribusiness Development Corporation, Hawaii Technology Development Corporation, and the Natural Energy Laboratory of Hawaii Authority.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Labor and Industrial Relations; Hawaii Technology Development Corporation; Agribusiness Development Corporation; Natural Energy Laboratory of Hawaii Authority; and Hawai'i Farm Bureau.

Your Committee finds that seeking and encouraging partnerships within the agricultural, technology, and natural energy industries will support the desired increase in exports and local food production, as well as the overarching goal of creating a sustainable local economy. Your Committee further finds that the establishment of the advisory boards pursuant to this measure will support the departmental and agency initiatives by further identifying workforce needs and improving the coordination and alignment with the State's businesses, community partners, and other government agencies.

Your Committee notes this measure contains unspecified requirements as to the frequency with which the advisory boards are to meet. Your Committee respectfully requests that subsequent Committees who may choose to deliberate on this measure make recommendations as to the frequency of meetings for the advisory boards.

Your Committee has amended this measure by:

- (1) Amending the membership of the advisory boards, by adding a representative of the Hawai'i Farm Bureau, or their designee, to be invited by the Governor to participate as a member, and removing the Executive Director of the Hawaii Natural Energy Institute as a member;
- (2) Inserting an effective date of January 1, 2060, 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. 2291, as amended herein, and recommends

that it pass Second Reading in the form attached hereto as S.B. No. 2291, 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 (Kim). Noes, none. Excused, 2 (Wakai, Fevella).

SCRep. 2170 Health and Human Services on S.B. No. 3139

The purpose and intent of this measure is to:

- (1) Establish a Crisis Intervention and Diversion Services Program within the Department of Health to expand existing services to divert those with mental health issues to appropriate health care services;
- (2) Define “mental health emergency worker”; and
- (3) Appropriate funds for the Crisis Intervention and Diversion Services Program.

Your Committee received testimony in support of this measure from the Office of the Governor, Department of Health, The Judiciary, Disability and Communication Access Board, Hawaii Substance Abuse Coalition, United Self-Help, Community Alliance on Prisons, and two individuals.

Your Committee received comments on this measure from the Hawaii Disability Rights Center and The Queen’s Health System.

Your Committee finds that thousands of people in the State are cited or arrested each year for offenses such as drinking liquor in public, loitering in public parks after hours, and camping on sidewalks, beaches, and other restricted public places. Most of these people suffer from issues relating to drugs, alcohol, or mental illness and may be better served through the health care system, rather than the criminal justice system. This measure will support the development and implementation of a system of services that are specifically designed to address the needs of people experiencing a behavioral health crisis.

Your Committee notes the testimony of the Department of Health requesting an appropriation of \$6,700,000, rather than the \$6,000,000 proposed in the measure, to implement the program. Therefore, your Committee respectfully requests that your Committee on Ways and Means consider inserting an appropriation amount of \$6,700,000 for fiscal year 2024-2025.

Your Committee has amended this measure by:

- (1) Clarifying that the Crisis Intervention and Diversion Services program redirects persons experiencing not just mental health disorders but also, co-occurring mental health disorders and substance use disorders;
- (2) Clarifying that the Department of Health may operate a behavioral health crisis center to treat and refer individuals in behavioral health crisis;
- (3) Inserting language to expand referrals to psychiatric facilities to include other facilities designated by the Director of Health;
- (4) Inserting an unspecified appropriation amount to facilitate further discussion;
- (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. 3139, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3139, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2171 Judiciary on S.B. No. 2927

The purpose and intent of this measure is to propose an amendment to the Hawaii State Constitution to make the Senate confirmation process for judicial appointments the same, whether the appointment is made by the Governor or the Chief Justice.

Your Committee received no testimony on this measure.

Your Committee finds that the existing Senate confirmation process for judicial appointments differs if the appointment is made by the Governor or the Chief Justice. This measure will reduce confusion and provide clarity for the judicial appointment process by making the process uniform, regardless of whether the appointment is made by the Governor or the Chief Justice.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2927 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. 2172 Public Safety and Intergovernmental and Military Affairs on S.B. No. 2543

The purpose and intent of this measure is to require government entities to seek reimbursement for search and rescue expenses from 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 Committee received testimony in support of this measure from the Department of Law Enforcement and five individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee received comments on this measure from Pono Consulting.

Your Committee finds that the coronavirus disease 2019 pandemic fueled a sustained surge of experienced and inexperienced hikers venturing outdoors. Emergency rescue situations where hikers ignored posted warning signs, intentionally left a hiking trail, or entered property that is closed to the public required first responders to put all ongoing operations on hold, with agencies often incurring additional unbudgeted costs and expense through overtime, calling in additional responders, and costs of equipment and supplies. This measure will shift the cost to hikers who ignore posted warning signs, intentionally leave a hiking trail, or enter property that is closed to the public, which may act as a deterrent and reduce violations, improve public safety, and mitigate the need for costly and dangerous rescues.

Your Committee has amended this measure by inserting an effective date of January 1, 2042, 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. 2543, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2543, 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 (Rhoads). Noes, none. Excused, none.

SCRep. 2173 Public Safety and Intergovernmental and Military Affairs on S.B. No. 2693

The purpose and intent of this measure is to:

- (1) Establish the offense of charitable fraud during a state of emergency; and
- (2) Provide that a person commits charitable fraud during a state of emergency if that person, during a state of emergency proclaimed by the Governor, performs certain deceptive acts or practices in connection with the solicitation of a contribution to assist persons affected by a disaster or emergency.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Hawaii Young Republicans, and one individual.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that natural disasters provide a place for fraudulent activity and fake philanthropies to proliferate.

Your Committee further finds that the United States Department of Justice issued a warning of potential fraudulent activity around donations and contributions masquerading as Maui fire relief. This measure will create avenues to prosecute charitable fraud and theft in the aftermath of emergencies.

Your Committee has amended this measure by:

- (1) Adding language that specifies the state of mind for the offense as intentionally, knowingly, or recklessly;
- (2) Removing language that would have required the person who uses any deceptive act or practice, false pretense, false promise, or misrepresentation in connection with the solicitation of a contribution to have the intent that others rely on it;
- (3) Removing language that would have limited contributions solicited to those providing direct aid; and
- (4) Adding a definition for "solicit" and "solicitation".

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. 2693, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2693, 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. 2174 (Majority) Public Safety and Intergovernmental and Military Affairs on S.B. No. 2910

The purpose and intent of this measure is to appropriate funds to the Department of Law Enforcement for an additional fifteen full-time equivalent (15.0 FTE) sheriff positions for transitional law enforcement officer activities in Lahaina.

Your Committee received testimony in support of this measure from the Department of Law Enforcement and one individual.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee received comments on this measure from the ACLU of Hawai'i.

Your Committee finds that historically, recovery efforts following major disasters span a protracted period of time. According to testimony received by your Committee, while recovery and rebuilding efforts for Lahaina and Maui are under way, there will be a significantly increased demand for law enforcement presence in the area to provide for the safety of the public, protection of property, and the enforcement of law. This measure will provide the support needed for effective disaster recovery and community resilience.

Your Committee has amended this measure by:

- (1) Adding language that establishes eleven full-time deputy sheriff positions and four permanent supervisory deputy sheriff positions;
- (2) Adding language that broadens the scope of the positions to law enforcement officer activities in all of Maui;
- (3) Deleting language that would have defined the positions as transitional law enforcement officer activities;
- (4) Inserting an effective date of January 1, 2042, 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. 2910, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2910, 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. 2175 Public Safety and Intergovernmental and Military Affairs on S.B. No. 3009

The purpose and intent of this measure is to:

- (1) Specify the responsibilities of the Department of Law Enforcement's Sheriff Division regarding judicial and legislative security; and
- (2) Require the Sheriff Division to pursue, obtain, and maintain accreditation from the Commission on Accreditation for Law Enforcement Agencies, Inc.

Your Committee received testimony in support of this measure from the Judiciary and two individuals.

Your Committee received testimony in opposition to this measure from the Department of Law Enforcement.

Your Committee finds that public officials and employees increasingly face the risk of personal reprisal from individuals affected by decisions made in the exercise of their official duties, and that in Hawaii, threats and other inappropriate communications towards judges have increased tenfold and threats towards judiciary social workers providing probation oversight have increased ninefold over the last decade. According to testimony received by your Committee, the State Auditor has reported that the Sheriff Division has struggled to meet the needs of the State due to its lack of mission clarity. This measure will ensure adequate levels of security resources to protect legislative and judicial operations, employees, and the public.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2042, 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. 3009, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3009, 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. 2176 Education on S.B. No. 2635

The purpose and intent of this measure is to appropriate funds to the Department of Education for operational expenses, including the hiring of staff.

Your Committee received testimony in support of this measure from the Department of Education, Democratic Party of Hawai'i, Education Caucus of the Democratic Party of Hawai'i, and CARES.

Your Committee received comments on this measure from one individual.

Your Committee finds that the Department of Education operates two hundred forty-eight public schools statewide. As the only statewide school district in the United States, the Department of Education has an ambitious mandate that requires efficient, streamlined operations. Therefore, additional resources such as funding for adequate staffing levels is essential for operations to continue. This measure provides additional funding to the Department of Education to ensure continuity of operations and education of Hawaii's keiki.

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. 2635 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. 2177 Education on S.B. No. 2071

The purpose and intent of this measure is to appropriate funds to the Department of Education to enhance the Department's mobile platforms that provide student mental health and social-emotional health support.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Teachers Association, Opportunity Youth Action Hawai'i, Hawaii Young Republicans, CARES, and one individual.

Your Committee finds that there is a growing need to provide mental health support to Hawaii's keiki. Presently, the Department of Education utilizes the Panorama Education platform and Trust Circle Mobile platform to gather student data around academics, attendance, behavior, mental health, and social-emotional learning needs that can provide early identification of social-emotional and academic issues. Data collected by the Department of Health also provides the Department with valuable insight into ongoing trends, allocation of existing resources, and information for strategies to better assist students in need. Accordingly, this measure will continue to minimize barriers to social-emotional, academic, and mental health services for students to ensure Hawaii's keiki can thrive in their educational careers.

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. 2071 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 (Richards, Fevella).

SCRep. 2178 Education on S.B. No. 2069

The purpose and intent of this measure is to appropriate funds to the Department of Education for the establishment of three full-time equivalent (3.0 FTE) curriculum specialist II positions and ten full-time equivalent (10.0 FTE) classroom teacher positions for Ka Papahana Kaiapuni schools.

Your Committee received testimony in support of this measure from the Department of Education, Office of Hawaiian Affairs, Hawaii State Teachers Association, Malama Makua, Hui Makua O Pū'ōhala, Native Hawaiian Education Council, Nā Leo Kāko'o, a petition from Hui Mākua signed by sixty-three individuals, a petition from Hui Mākua Palapala Noi signed by nineteen individuals, a petition signed by thirty-nine individuals, and two hundred three individuals.

Your Committee finds that the demand for Hawaiian language immersion education has experienced significant growth in the last decade. Presently, twenty-two Ka Papahana Kaiapuni schools offer Hawaiian language immersion education for students in grades kindergarten through twelve. However, additional teaching and staffing resources are needed to provide high quality educational experiences for Ka Papahana Kaiapuni students, as demand for Hawaiian language immersion education has outpaced teaching and operational support. Presently, there are one hundred fifty-two teachers and four curriculum specialists who support the Hawaiian language immersion education programs across the State. Therefore, this measure increases opportunities for prospective students interested in Hawaiian language immersion education while ensuring adequate staffing for new and existing schools.

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. 2069 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 (Richards, Fevella).

SCRep. 2179 Education on S.B. No. 2070

The purpose and intent of this measure is to temporarily exempt career and technical education goods and services purchases by the Department of Education from the State Procurement Code.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Education; and Hawaii State Energy Office.

Your Committee received testimony in opposition to this measure from the State Procurement Office.

Your Committee finds that career and technical education experience provides students with immersive on-the-job exposure during their educational careers. Career and technical education provides students with the opportunity to use innovative equipment, such as flight and welding simulators for hands-on lessons. However, the procurement process to acquire equipment can deter schools from purchasing valuable classroom tools, forcing students to seek exploratory opportunities beyond high school graduation. To ensure consistency with overall state goals in education and workforce development, this measure creates greater accessibility for educational and career pathways.

Your Committee acknowledges that certain career and technical education equipment may be difficult to procure through a competitive process due to limited equipment options or a limited number of vendors who sell the product. Requiring the Department of Education to find the cheapest product could significantly delay its ability to provide valuable education experience that can only be gained through using industry standard equipment. However, your Committee notes the importance of ensuring transparency and the balance of interests when it comes to procurement. According to the Department of Education's testimony, the Department is prepared to implement policies to require that any purchase up to \$100,000 be checked by the complex area superintendent (which is not currently the existing practice, but instead the Department relies on periodic internal audits). Existing law further requires executive branch agencies to obtain three verbal or written quotes for certain small purchases, the practice of which your Committee believes would provide a tailored check and balance for the Department of Education's purchases of career and technical education equipment below the \$100,000 threshold. Therefore, amendments to this measure are necessary to reflect your Committee's discussion with the Department of Education that occurred at the public hearing on this measure.

Accordingly, your Committee has amended this measure by:

- (1) Requiring the Department of Education to obtain three written or verbal quotes for career and technical education purchases of not more than \$100,000; and

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

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2070, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2070, 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 (Richards, Fevella).

SCRep. 2180 Education on S.B. No. 3092

The purpose and intent of this measure is to make an emergency appropriation to the Department of Education for charter schools.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Teachers Association, and CARES.

Your Committee finds that charter schools across the State have experienced higher enrollment rates. Presently, the Department of Education has a statutory mandate to provide proportional funding to charter schools based on the respective school's student enrollment. However, higher enrollment of students in the charter school system for the 2023-2024 school year has created an additional need for resources to ensure continuity of educational programs and operations. This measure provides additional funding for charter schools to offer high quality educational experiences for Hawaii's charter school students.

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. 3092, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3092, 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. 2181 Education on S.B. No. 3207

The purpose and intent of this measure is to:

- (1) Increase the cap on the Superintendent of Education's salary to not more than \$350,000; and
- (2) Make permanent the annual performance evaluation requirements for the Superintendent of Education.

Your Committee received testimony in support of this measure from the Board of Education, Buildteam 50, a letter signed by fifteen Department of Education Complex Area Superintendents, and CARES.

Your Committee received testimony in opposition to this measure from Hawai'i Parents United and one hundred seven individuals.

Your Committee finds that the Superintendent of Education plays a vital role in carrying out education policy for two hundred forty-eight public schools statewide. Serving as a key leader in the State, the Superintendent's salary should be commensurate with the level and gravity of work accomplished. Additionally, as a leader for public education in the State, performance evaluations are necessary to offer feedback, accountability, and acknowledgement of this crucial effort. Your Committee further finds that effective leadership is necessary to ensure student success, high academic achievement, and efficient departmental operations. Therefore, this measure codifies existing performance evaluation requirements while recognizing the role and responsibility of the Superintendent of Education.

Your Committee has amended this measure by decreasing the annual salary cap for the Superintendent of Education from \$350,000 to \$300,000.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3207, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3207, 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, Fevella). Noes, none. Excused, none.

SCRep. 2182 Education on S.B. No. 3091

The purpose and intent of this measure is to make an emergency appropriation to the Department of Education for its food service operations.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii Primary Care Association, and CARES.

Your Committee received comments on this measure from Ka Ohana O Na Pua and one individual.

Your Committee finds that healthy, nutritious school meals are critical to the development of Hawaii's keiki. Presently, the Department of Education provides approximately twenty thousand school breakfasts and eighty thousand school lunches daily to students and staff at public schools. School meals have become increasingly essential for thousands of students who rely on school breakfasts and lunches as their only meals of the day. Despite this significant mandate, the Department of Education has accumulated a deficit of over \$20,000,000 for its food service operations, due to inflationary costs.

However, your Committee notes its concerns regarding the Department of Education's current data collection methods to understand school lunch trends, student preferences, and potential areas of improvement. Presently, the Department of Education utilizes software that provides menus, nutritional information, photos, translations, and a feedback section regarding the types of meals served to students. Your Committee notes that this method of data collection may not be conducive to reducing food cost or waste in public schools. Additionally, the software is a costly expense for the Department of Education. Therefore, your Committee recommends that the Department of Education consider the use of more direct surveys and assessments by the schools, rather than consultants or software with reoccurring costs, to understand the unique food preferences and needs at each public school.

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

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3091, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3091, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2183 (Joint) Public Safety and Intergovernmental and Military Affairs and Health and Human Services on S.B. No. 2345

The purpose and intent of this measure is to:

- (1) Require the Department of Law Enforcement to coordinate crisis intervention training for state and county law enforcement agencies and crisis intervention officers;
- (2) Require the Department of Health to certify crisis intervention officers;
- (3) Define "crisis intervention officer";
- (4) Authorize crisis intervention officers to order persons determined to be imminently dangerous to themselves or others to be transported to a designated behavioral health crisis center; and
- (5) Establish positions.

Your Committees received testimony in support of this measure from the Department of Law Enforcement; Department of Health; State of Hawaii Organization of Police Officers; Institute for Human Services, Inc.; Hawaii Disability Rights Center; Hawaii Substance Abuse Coalition; and three individuals.

Your Committees find that thousands of people in the State are cited or arrested each year for offenses such as drinking liquor in public; loitering in public parks after hours; and camping on sidewalks, beaches, and other restricted public places, many of whom are mentally ill, and subsequently do not appear in court, leading courts to issue bench warrants for their arrests. Your Committees further find that this cycle between the court system, prosecutors, and police expends unnecessary time, energy, and resources to bring violators to court. This measure will break this cycle by implementing crisis intervention measures.

Your Committees have amended this measure by:

- (1) Amending the definition of "crisis intervention officer" to mean a law enforcement officer who has been trained to recognize and communicate with a person in crisis or suffering from some form of impairment, whether from dementia, Alzheimer's disease, or any physical, developmental, cognitive, psychological, or substance disorder influencing their behavior;
- (2) Deleting language that would have allowed a crisis intervention officer to respond to a call for assistance from an officer, who has reason to believe that a person is imminently dangerous to himself or others;
- (3) Inserting unspecified appropriation amounts; and
- (4) Inserting an effective date of January 1, 2042, to encourage further discussion.

Your Committees note that the Senate Draft 1 of this measure contains unspecified appropriation amounts. Should your Committee on Ways and Means choose to deliberate on this measure, your Committees respectfully requests that it considers inserting an appropriation amount of \$500,000 for crisis intervention officer positions and \$163,000 for training and certification for fiscal year 2024-2025.

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 are in accord with the intent and purpose of S.B. No. 2345, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2345, 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 (Awa).

Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 2184 (Majority) Health and Human Services on S.B. No. 2405

The purpose and intent of this measure is to allow an election candidate, treasurer, or candidate committee to use campaign funds for the candidate's child care and vital household dependent care costs under certain conditions.

Your Committee received testimony in support of this measure from the Women's Caucus of the Democratic Party of Hawai'i and Vote Mama Foundation.

Your Committee finds that child care obligations are one of the major factors families consider when weighing their decision to run for public office. Your Committee further finds that having young children should not deter any parent from considering running for office, and that the Federal Election Commission approves, and approximately thirty other states have enacted, legislation allowing candidates to use their campaign finances on caregiver expenses. This measure aligns the State with this national-level movement to enable a wider variety of individuals to run for public office.

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. 2405 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. 2185 Health and Human Services on S.B. No. 958

The purpose and intent of this measure is to:

- (1) Establish licensure requirements for school psychologists to be administered by the Board of Psychology;
- (2) Require all school psychologists to be licensed by July 1, 2025; and
- (3) Increase the composition of the Board of Psychology to include two school psychologists.

Your Committee received testimony in support of this measure from the Hawai'i Youth Services Network; Hawai'i Association of School Psychologists; Hawai'i Children's Action Network Speaks!; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii State Teachers Association; 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 Education, Department of the Attorney General, Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs, Board of Psychology, and Hawai'i Psychological Association.

Your Committee finds that school psychologists provide effective services to help children and youth with their social and emotional learning needs and can work with parents, educators, and other professionals to create supportive learning and social environments for all children. Your Committee further finds that school psychologists are not presently subject to regulation or required to undergo any formal credentialing process by the State. This measure establishes the regulatory framework and licensure requirements for school psychologists in the State.

Your Committee notes that S.C.R. No. 64, S.D. 1 (2022), requested the Auditor to conduct a sunrise analysis of the regulation and licensure of school psychologists, as proposed by S.B. No. 1274 (2021), a measure that set forth a regulatory framework and licensing requirements for school psychologists similar to those described in this measure. In November, the Office of the Auditor issued Report No. 22-13, stating that it could not conduct the sunrise analysis based on several concerns, including the insufficient definition of the practice of school psychology subject to the regulation and the work or type of work individuals will need to obtain to satisfy the licensure requirements.

Your Committee further notes the concerns raised by testimony regarding the impact of this measure, that is to be implemented on July 1, 2025, on existing school psychologists.

Accordingly, your Committee has amended this measure by deleting its contents and inserting language that:

- (1) Establishes a working group to assess and make recommendations on the most appropriate regulatory framework and licensure requirements for school psychologists in the State; and
- (2) Requires the working group to report to the Legislature before the Regular Session of 2025.

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. 958, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 958, 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. 2186 Health and Human Services on S.B. No. 2285

The purpose and intent of this measure is to:

- (1) Amend the functions and duties of the State Health Planning and Development Agency; and
- (2) Appropriate moneys for administrative costs and to establish positions.

Your Committee received testimony in support of this measure from Department of Human Services, State Health Planning and Development Agency, State Council on Developmental Disabilities, Hawaii Health Information Exchange, Hawai'i Primary Care Association, Hawaii Medical Service Association, Hawaii Association of Health Plans, and four individuals.

Your Committee received comments on this measure from the Healthcare Association of Hawaii.

Your Committee finds that access to high-quality, equitable, and affordable health and long-term care services remain a challenge for many of Hawaii's residents. The State Health Planning and Development Agency was established in 1975 to produce a State

Health Services and Facilities Plan and to manage the State's Certificate of Need program. However, the State Health Planning and Development Agency has experienced severe staffing shortages and decreases in funding, inhibiting the Agency's ability to effectively accomplish its mandate. By modernizing the State Health Planning and Development Agency's functions and responsibilities, this measure will enable the State to effectively provide quality health care to residents of the State at a reasonable cost.

Your Committee has amended this measure by:

- (1) Clarifying the definition of "health care" to include oral health, behavioral health, and long-term care;
- (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. 2285, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2285, 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. 2187 Health and Human Services on S.B. No. 2467

The purpose and intent of this measure is to appropriate funds to the Department of Health to implement quality improvement recommendations for the Hawaii State Hospital.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Disability Rights Center, and one individual.

Your Committee finds that the Hawaii State Hospital is the only publicly funded state psychiatric hospital in the State. After the Department of Health conducted a comprehensive safety review, a series of quality improvement recommendations were made to increase oversight of safety and security, enhance safety and security measures, and decrease hospital census. This measure ensures that these quality improvement recommendations are implemented.

Your Committee notes that although this measure contains an unspecified appropriation amount and number of positions to be funded, the Department of Health's testimony requests the following:

- (1) \$920,000 for the purchase of new equipment, including:
 - (A) Installation of new cameras;
 - (B) Integration and upgrade of the PA system;
 - (C) Metal detector wands; and
 - (D) Urinalysis testing and supplies;
- (2) \$700,000 to reinforce control of entry and exit points;
- (3) \$2,745,000 for fourteen new positions and pay increases for existing forensic psychologists; and
- (4) \$10,000,000 to support the mental health continuum of care, including:
 - (A) Pay adjustments for existing group homes;
 - (B) Two new twenty-four-hour group homes;
 - (C) Two new licensed crisis residential services group homes; and
 - (D) Enhanced contracted security for the Hawaii State Hospital campus.

Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that these amounts be further considered.

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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2467, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2467, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2188 (Majority) Judiciary on S.B. No. 3274

The purpose and intent of this measure is to make the State's civil asset forfeiture process more just by:

- (1) Restricting 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) Directing any forfeiture proceeds to the general fund;
- (3) Amending the allowable expenses for moneys in the criminal forfeiture fund;

- (4) Requiring the Attorney General to adopt rules necessary to carry out the purposes of the Hawai'i Omnibus Criminal Forfeiture Act; and
- (5) Amending the deadline for the Attorney General to report to the Legislature on the use of the Hawai'i Omnibus Criminal Forfeiture Act.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Drug Policy Forum of Hawai'i, ACLU of Hawai'i, Americans for Democratic Action Hawai'i, Community Alliance on Prisons, Grassroot Institute of Hawaii, Hawai'i Association of Criminal Defense Lawyers, and one individual.

Your Committee received testimony in opposition to this measure from the Department of Law Enforcement, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Hawaii, Department of the Prosecuting Attorney of the County of Maui, Office of the Prosecuting Attorney of the County of Kaua'i, Honolulu Police Department, and Hawai'i County Police Department.

Your Committee received comments on this measure from the Department of the Attorney General and one individual.

Your Committee finds that the State'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 to recover the seized property is shifted from the State to the property owner. Additionally, 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 forfeited property. This measure will make the State's civil asset forfeiture process more just.

Your Committee has amended this measure by clarifying that, for property to be subject to forfeiture due to a conviction, the owner has to have been convicted of a covered offense by a verdict or plea, all appeals have been exhausted, and all deadlines to appeal have expired.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3274, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3274, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Elefante). Noes, 1 (Awa). Excused, none.

SCRep. 2189 Judiciary on S.B. No. 3174

The purpose and intent of this measure is to:

- (1) Eliminate an obsolete fee for a certified copy of a tax clearance;
- (2) Add a penalty for failure to comply with reporting requirements under general excise tax law and transient accommodations tax law for collection of rent by a third party; and
- (3) Raise the unfair competition penalty under the general excise tax law to adjust for inflation.

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 under existing law, every person authorized to collect rent on behalf of an owner of real property in the State is required to provide the Department of Taxation with the name, address, social security number, general excise tax license number, and transient accommodations tax registration number of the owner within thirty days after entering into an agreement, or in the alternative, must provide the Department with a copy of federal form 1099 at the same time the form must be filed with the Internal Revenue Service. However, there is no penalty for a taxpayer's failure to comply with these requirements. This measure adds an enforcement mechanism that will help the Department of Taxation promote tax compliance and uphold the State's tax laws.

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. 3174, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3174, 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. 2190 Judiciary on S.B. No. 2823

The purpose and intent of this measure is to establish a blue ribbon committee within the Department of the Attorney General to analyze the Hawaii Administrative Rules and identify any rules that are not supported by statutory authority.

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 government agencies may have engaged in rulemaking that was supported by statutory authority at the time they were made; however, statutes may have since been amended or deleted, leaving certain rules to no longer be supported by statute. Your Committee believes that the Hawaii Administrative Rules should be examined to determine if any rules are no longer

supported by the Hawaii Revised Statutes. This measure will promote government efficiency and ensure that existing Hawaii Administrative Rules continue to have proper statutory support.

Your Committee has amended this measure by:

- (1) Adding language that requires the Department of the Attorney General to provide support and coordination as needed by the blue ribbon committee;
- (2) Adding language that requires each state agency to cooperate with the blue ribbon committee;
- (3) Requiring the blue ribbon committee to submit its report of its findings and recommendations to the Legislature no later than forty days prior to the convening of the Regular Session of 2025; 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. 2823, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2823, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2191 Judiciary on S.B. No. 3029

The purpose and intent of this measure is to appropriate moneys 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 testimony in support of this measure from the Department of the Attorney General, Department of Land and Natural Resources, and Department of Education.

Your Committee finds that the State has a responsibility to promptly satisfy all claims against the State upon the resolution of those claims. Your Committee further finds that the 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) Correcting an erroneous case number;
- (2) Amending the payment requirements for the settlement in the case of Courtney Ledford v. Ethan Feguson, et al., Civil No. 17-1-0416, Third Circuit, by:
 - (A) Changing the amount appropriated to the Department of the Attorney General for the settlement of the claim from \$1,250,000 to \$750,000; and
 - (B) Requiring that the remaining \$500,000 of the claim settlement be equally apportioned and paid from the available general funds appropriated by Act 164, Session Laws of Hawaii 2023, to the Department of Human Resources Development and Department of Land and Natural Resources; and
- (3) Amending the payment requirements for the settlement in the case of Leinette Reyes, et al. v. Eric Tanaka, Civil No. 17-cv-00143 JAO-KJM, USDC, by:
 - (A) Changing the amount appropriated to the Department of the Attorney General for the settlement of the claim from \$2,000,000 to \$1,200,000; and
 - (B) Requiring that the remaining \$800,000 of the claim settlement be paid from the available general funds appropriated by Act 164, Session Laws of Hawaii 2023, to the Department of Public Safety/Corrections and Rehabilitation.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3029, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3029, 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. 2192 Judiciary on S.B. No. 2521

The purpose and intent of this measure is to fund four deputy public defender positions and require that one deputy public defender be assigned to the family court section.

Your Committee received testimony in support of this measure from the Office of the Public Defender, ACLU of Hawai'i, and nine individuals.

Your Committee finds that the Office of the Public Defender provides necessary legal representation to indigent individuals in criminal, involuntary commitment, and family law cases as required by the United States and Hawaii constitutions, state statutes, and judicial opinions. Your Committee further finds that Act 9, Session Laws of Hawaii 2020, defunded six positions in the Office of the Public Defender, and the positions were later abolished. Since then, the number of clients and prosecutions have risen to pre-pandemic numbers despite no additional attorney positions at the Office of the Public Defender to help mitigate the caseload. This measure will ensure that the Office of the Public Defender has the staff necessary to fulfil its constitutional mandate.

Your Committee has amended this measure by:

- (1) Increasing the appropriation amount to \$627,300 for four deputy public defender III positions;
- (2) Specifying that the Office of the Public Defender is required to assign one deputy public defender II to the family court section;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2521, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2521, 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. 2193 (Majority) Judiciary on S.B. No. 2376

The purpose and intent of this measure is to increase the rate of compensation and maximum allowable amounts per case for court-appointed counsel and guardians ad litem in family court proceedings.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, Office of the Public Defender, Hawaii State Bar Association, and five individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that guardians ad litem perform a critical role in a wide range of family court cases, such as representing the best interest of children who have been abused or neglected in Child Protective Act cases; involuntary hospitalization proceedings; and all assisted community treatment proceedings initiated pursuant to section 334-123, Hawaii Revised Statutes. Your Committee also finds that court appointed attorneys play a similarly critical role in family court cases by providing constitutionally-mandated representation to individuals whose parental rights are at stake in Child Protective Act cases and to minors who have been charged with law violations. Your Committee believes that, due to the complexity and important nature of these cases, it is in the community's best interest to attract and retain highly competent individuals to serve as guardians ad litem and court appointed attorneys in family court cases. This measure will increase the pool of individuals willing and able to perform the critical work of guardians ad litem and court appointed attorneys in family court cases and allow the family court to hear cases without unnecessary delay by enhancing the rates at which the Judiciary can compensate guardians ad litem and court appointed attorneys.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2376 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. 2194 Ways and Means on S.B. No. 572

The purpose and intent of this measure is to amend the law relating to agriculture.

Prior to the hearing on this measure, your Committee made available for public review a proposed S.D. 1, which deletes the measure's contents and inserts language that:

- (1) Allows the Department of Agriculture to declare a biosecurity emergency in certain circumstances and with the approval of the Governor;
- (2) Outlines the terms of a declared biosecurity emergency;
- (3) Requires the Department to implement certain requirements for agricultural commodity importers;
- (4) Allows the Department to fine agricultural commodity importers who fail to comply with the requirements;
- (5) Allows the Department to subpoena necessary documentation from agricultural commodity importers relating to a known or suspected infestation of pests; and
- (6) Allows the Department to quarantine any farm, facility, or business that is known to be infested with pests.

Your Committee finds that the powers authorized by this measure will allow the Department of Agriculture to more effectively prevent and mitigate the infestation and spread of pests in the State.

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. 572, 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. 572, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, 5 (Aquino, DeCoite, Kidani, Lee, Wakai).

SCRep. 2195 Ways and Means on S.B. No. 578

The purpose and intent of this measure is to amend the law relating to government.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 1, which amended this measure by deleting its contents and replacing it with language that allows a retirant to be employed without re-enrollment in the Employees' Retirement System and without suffering a loss or interruption of pension or health benefits provided by the Employees' Retirement System or the Employer-Union Health Benefits Trust Fund if the retirant is employed as an investigator in a position identified by the Department of the Attorney General as a labor shortage or difficult-to-fill position, subject to certain conditions.

Your Committee finds that this measure will assist the Department of the Attorney General in filling certain staffing vacancies with qualified, experienced investigators.

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. 578, 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. 578, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 5 (Aquino, DeCoite, Kidani, Lee, Wakai).

SCRep. 2196 Health and Human Services on S.B. No. 2529

The purpose and intent of this measure is to amend the definition of "patient's provider" in state law governing Provider Orders for Life-Sustaining Treatment (POLST) by removing language that requires the provider to examine the patient.

Your Committee received testimony in support of this measure from the Department of Health; Kaiser Permanente Hawai'i; Kōkua Mau; Hospice Maui; Hospice Hawaii, Inc. dba Navian Hawaii; Hawaii Association of Health Plans; Hawaii Medical Service Association; Hawai'i Care Choices; and five individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that POLST is a portable medical order that documents a patient's care plan outside the hospital that sets forth the patient's wishes and directions regarding the provision of resuscitative and life-sustaining measures. Your Committee further finds that existing law requires POLST forms to be signed by the "patient's provider", defined as a licensed physician, advanced practice registered nurse, or physician assistant "who has examined the patient." This examination requirement can cause delays for a patient when a sudden and unexpected change in their health requires urgent POLST documentation but the patient does not have a provider that they see regularly, their provider is out of the office, or if they cannot get an immediate appointment, potentially leading to patients receiving unwanted life-prolonging treatments. This measure will remove barriers for patients when creating or updating POLST documentation.

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. 2529, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2529, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2197 Health and Human Services on S.B. No. 3143

The purpose and intent of this measure is to make an emergency appropriation to the Department of Health for emergency asbestos remediation at Kinau Hale (in which the Department's main offices are located); temporary relocation of the main offices, if necessary; and preliminary planning for redevelopment of the site.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that several instances of asbestos disturbance have been reported at Kinau Hale. Although multiple ambient air testing confirms that the air in the building is currently safe, there is still a risk of future asbestos disturbances that could potentially require immediate relocation and significant remediation.

Your Committee notes the testimony of the Department of Health requesting an appropriation of \$5,000,000 for:

- (1) The relocation of staff and equipment in the event of asbestos disturbance or other catastrophic building failure requiring immediate evacuation and significant remediation;
- (2) Preliminary planning for redevelopment of the parcel; and
- (3) Temporary repairs and implementation of mitigative measures to keep Kinau Hale safe for employees during the interim period.

Therefore, your Committee respectfully requests that your Committee on Ways and Means consider inserting an appropriation amount of \$5,000,000 for fiscal year 2024-2025.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount from \$1,500,000 to an unspecified amount to facilitate further discussion;
- (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. 3143, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3143, 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. 2198 Judiciary on S.B. No. 2381

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, beginning with the 2028 general election year;
- (2) Require the Campaign Spending Commission to submit a progress and final report to the Legislature;
- (3) Appropriate funds to a designated sub-fund within the Hawai'i Election Campaign Fund to support a comprehensive system of public financing; and
- (4) Appropriate funds from the designated sub-fund within the Hawai'i Election Campaign Fund to the Campaign Spending Commission to fund planning and preparation, including two temporary staff, for operating a comprehensive public fund for candidates program in 2028.

Your Committee received testimony in support of this measure from the Campaign Spending Commission; one member of the Hawai'i County Council; ACLU of Hawai'i; Our Hawai'i; Democratic Party of Hawai'i; Public Citizen; Chamber of Sustainable Commerce; Sierra Club of Hawai'i; Hope Services Hawaii; Lāhainā Strong; Campaign Legal Center; Recycle Hawaii, Clean the Pacific; HULI PAC; Indivisible Hawaii; League of Women Voters of Hawaii; Green Party of Hawai'i; Free Access Coalition; Americans for Democratic Action Hawai'i; We Are One, Inc.; Kihei Community Association; 350 Hawaii.org; Hawaii Alliance for Progressive Action; and more than two hundred twenty individuals.

Your Committee received testimony in opposition to this measure from nine individuals.

Your Committee received comments on this measure from the Department of the Attorney General.

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. Comprehensive publicly-funded campaign programs are intended to improve the process by allowing candidates to compete without reliance on private funds and by also allowing elected officials to make decisions without the influence, or appearance thereof, of private individuals, lobbyists, political parties, political action committees, unions, corporations, and other entities. The State became a leader in public funding programs when it added language to the Hawai'i State Constitution in 1978 that established the partial public funding program, which candidates continue to use today. Other comprehensive public financing programs, sometimes termed "clean elections", were established in 1996 in Maine, in 1998 in Arizona, and have since also been adopted in Connecticut and New Mexico. This measure will increase public confidence in the State's candidates and elected officials by establishing a comprehensive program to publicly fund candidates in the State.

Your Committee has amended this measure by:

- (1) Replacing the terms "subfund" or "sub-fund" with "subaccount" throughout the measure in reference to the separate designation of funds within the Hawaii Election Campaign Fund for the Comprehensive Public Funding Program;
- (2) Clarifying that the program's name is the Comprehensive Public Financing Program;
- (3) Clarifying that an electronic form may be used for providing a contributor's information to the Campaign Spending Commission;
- (4) Requiring candidates to return all unexpended public funds received within thirty days after the election in which the candidate was successful, similar to other provisions requiring candidates to return unexpended public funds when they prevail in the general election, are unsuccessful, or have no opponents;
- (5) Clarifying that certain moneys be deposited into the Comprehensive Public Financing Program's subaccount of the Hawaii Election Campaign Fund;
- (6) Amending section 1 to reflect its amended purpose; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2381, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2381, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2199 Education on S.B. No. 2257

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 Hawaii Teacher Standards Board to consider qualified individuals with at least an associate's degree or high school diploma with comparable education and coursework, industry experience, and content expertise to teach career and technical education courses.

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. 2257, as amended herein, and recommends that it be recommitted to your Committee on Education, in the form attached hereto as S.B. No. 2257, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Hashimoto, Richards).

SCRep. 2200 Public Safety and Intergovernmental and Military Affairs on S.B. No. 2094

The purpose and intent of this measure is to require the Department of Corrections and Rehabilitation to establish a two-year pilot program to allow inmates incarcerated at the women's community correctional center to foster pets while incarcerated.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation, Hawaiian Humane Society, ACLU of Hawai'i, Women's Prison Project, Pono Advocacy, and five individuals.

Your Committee received comments on this measure from the United Public Workers Hawaii, AFSCME Local 646, AFL-CIO.

Your Committee finds that the Hawaiian Humane Society is unable to meet the needs of their animals due to the amount of animals at their shelters. Your Committee notes that there is significant data showing that the fostering of pets by incarcerated persons can have potential positive outcomes including improved personal responsibility, work ethic, and self-esteem. This measure will assist the Hawaiian Humane Society in reducing strain on their shelters and hopefully reduce recidivism rates for incarcerated women by allowing them to foster pets while incarcerated.

Your Committee has amended this measure by:

- (1) Converting the pilot program from two years to one year;
- (2) Inserting an unspecified appropriation amount;
- (3) Inserting an effective date of January 1, 2042, to encourage further discussion;
- (4) Amending section 1 to reflect its amended purpose; and
- (5) Making a technical, nonsubstantive amendment 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 \$50,000 for fiscal year 2024-2025.

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. 2094, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2094, 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. 2201 Public Safety and Intergovernmental and Military Affairs on S.B. No. 1392

The purpose and intent of this measure is to repeal the requirement for the Department of Public Safety to reassess pretrial detainees on a regular basis for reconsideration of pretrial release.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation.

Your Committee received comments on this measure from the Community Alliance on Prisons.

Your Committee finds that Act 179, Session Laws of Hawaii 2019, enacted bail reform initiatives with the goal of increasing fairness to pretrial detainees by offering greater and continuing opportunities for release prior to trial. However, your Committee further finds that there is concern that this Act has detracted from the intake service centers' production of the initial bail reports that are due to the court within three days of admission, as well as other duties and responsibilities mandated by statute. This measure will ease intake service centers workload.

Your Committee has amended this measure by:

- (1) Changing all references to the "Department of Public Safety" to the "Department of Corrections and Rehabilitation";
- (2) Restoring language that requires periodic reviews of detainees in community correctional centers;
- (3) Extending the time requirement for pretrial release reassessments from three months to six months;
- (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. 1392, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1392, 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. 2202 (Joint) Public Safety and Intergovernmental and Military Affairs and Hawaiian Affairs on S.B. No. 3016

The purpose and intent of this measure is to require all United States military reservations and military training facilities in the State to display the Hawaiian flag.

Your Committees received testimony in support of this measure from Ho‘omana Pono, LLC and eleven individuals.

Your Committees received testimony in opposition to this measure from six individuals.

Your Committees received comments on this measure from the Department of the Attorney General, Hawaii Military Affairs Council, and one individual.

Your Committees find that displaying a state’s flag is a gesture of respect for that state and the current version of the Hawaiian flag, adopted in 1845, which includes symbolism representing Hawaii’s islands, ocean, culture, values, and history, must be respected. Your Committees further find that currently, the practice of displaying the Hawaiian flag at military facilities in the State is inconsistent and varies from facility to facility. This measure will create uniformity and show respect to the Hawaiian flag.

Your Committees have amended this measure by:

- (1) Allowing each United States military reservation and military training facility to display the Hawaiian flag, rather than requiring;
- (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 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 are in accord with the intent and purpose of S.B. No. 3016, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3016, 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, 4. Noes, none. Excused, 1 (Awa).

Hawaiian Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 2203 (Joint) Public Safety and Intergovernmental and Military Affairs and Health and Human Services on S.B. No. 2565

The purpose and intent of this measure is to:

- (1) Prohibit counties from prohibiting leashed dogs in public parks; and
- (2) Establish penalties for leaving dog excrement on public or private property.

Your Committees received testimony in support of this measure from the Hawaiian Humane Society, Animal Interfaith Alliance in Britain, one member of the Maui County Council, and eighteen individuals.

Your Committees find that fewer than half of Oahu’s county parks allow leashed dogs. According to testimony received by your Committees, there is significant confusion about leash laws and many dog owners have expressed frustration at the lack of consistency through the State. This measure will improve uniformity in leash laws and increase park access for dogs, while promoting responsible dog ownership by requiring dogs in public parks to be leashed and establishing litter fines for pet owners who do not clean up after their dogs.

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 are in accord with the intent and purpose of S.B. No. 2565 and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 2204 (Joint) Public Safety and Intergovernmental and Military Affairs and Health and Human Services on S.B. No. 2903

The purpose and intent of this measure is to prohibit public entry into wildfire-affected areas for the purpose of habitation until the Department of Health provides notice that the wildfire-affected area is safe to enter for this purpose.

Your Committees received testimony in support of this measure from one member of the Maui County Council.

Your Committees find that when a fire consumes a community, it can aerosolize materials such as lead, arsenic, asbestos, and other dangerous chemicals that can contaminate both air and water for months and potentially years. Your Committees further find that after the 2023 Maui wildfires, state health officials issued warnings about water contamination and have estimated that restoring clean water

to affected areas of Maui could take years. This measure will ensure the health and safety of communities by protecting them from dangerous safety hazards caused by wildfires.

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 are in accord with the intent and purpose of S.B. No. 2903 and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 2205 Education on S.B. No. 2072

The purpose and intent of this measure is to:

- (1) Authorize the Department of Health to require the Department of Education to report coronavirus disease 2019 potential outbreaks or other public health emergencies and related information in a manner most appropriate to public health and safety, as determined by the Department of Health; and
- (2) Repeal the requirement to publish the report on the Department of Education's website.

Your Committee received testimony in support of this measure from the Department of Education, Department of Health, and CARES.

Your Committee received testimony in opposition to this measure from Hawaii Young Republicans and one individual.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that since the onset of the coronavirus disease 2019 (COVID-19) pandemic, the Department of Education has taken numerous preventative measures to ensure the health and safety of public school students and community members, including reporting on COVID-19 outbreaks and related information to inform certain communities of emerging or ongoing outbreaks. However, as the federal public health emergency for COVID-19 expired on May 11, 2023, existing reporting requirements may not reflect current public health trends. Therefore, this measure streamlines certain reporting requirements for the Department of Education while maintaining a high standard of safety for students, faculty, and staff.

Your Committee acknowledges the concerns raised by the Department of the Attorney General that personally identifiable information may be inadvertently shared in the Department of Education's reporting process, violating the federal Family Educational Rights and Privacy Act (FERPA). Amendments to this measure are necessary to address this concern.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language prohibiting the Department of Health from requiring the Department of Education to include in any report personally identifiable information or education records pursuant to FERPA; and
- (2) Authorizing the Department of Education to provide personally identifiable information only after the Department has determined that a health or safety emergency exists.

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. 2072, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2072, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2206 Health and Human Services on S.B. No. 3137

The purpose and intent of this measure is to clarify and update the responsibilities of the Child and Adolescent Mental Health Division of the Department of Health to reflect the current mental health systems of care to address the mental health needs of children and adolescents in the State.

Your Committee did not receive any testimony on this measure.

Your Committee finds that addressing mental health needs of children and adolescents is imperative for their health and well-being in adulthood. Your Committee further finds that existing law governing the functions of the Child and Adolescent Mental Health Division of the Department of Health is over fifty years old and therefore, obsolete. This measure updates the statutory provisions to reflect the most recent practices.

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. 3137, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3137, 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. 2207 Higher Education on S.B. No. 2817

The purpose and intent of this measure is to appropriate funds to the University of Hawaii to establish five administrative, professional, and technical full-time equivalent (5.0 APT FTE) positions at the College of Tropical Agriculture and Human Resources.

Your Committee received testimony in support of this measure from the University of Hawai'i System, University of Hawaii Professional Assembly, and Hawai'i Farm Bureau.

Your Committee finds that extension agents within the College of Tropical Agriculture and Human Resources of the University of Hawaii at Manoa serve as a valuable bridge between their respective communities and innovative research breakthroughs in the agriculture industry. Agricultural producers work closely with extension agents, who provide agricultural technologies pertinent to the State's farmers and ranchers, including the production and development of biological and cultural methods for minimizing the use of chemicals in agriculture. However, the College of Tropical Agriculture and Human Resources has experienced a decline in available staffing resources to support its mandate. Therefore, this measure provides increased staffing resources to support the development of new and existing agricultural practices statewide.

Your Committee has amended this measure by:

- (1) Clarifying that the five full-time equivalent (5.0 FTE) positions are faculty positions rather than administrative, technical, and professional positions;
- (2) Changing the source of the appropriation from the University of Hawaii Tuition and Fees Special Fund to the general revenues of the State of Hawaii;
- (3) Inserting language specifying that this measure addresses an issue of statewide concern; 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2817, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2817, 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. 2208 Higher Education on S.B. No. 2946

The purpose and intent of this measure is to require the University of Hawaii to submit to the Legislature annual reports of all university employees who performed work from a location outside of the State during the applicable year no later than December 31 of that year.

Your Committee received comments on this measure from the University of Hawai'i System.

Your Committee finds that faculty and staff members of the University of Hawaii are vital to ensure that university operations continue. However, certain faculty and staff members have been working outside of the State for extended periods of time that have raised concerns over payroll and the payment of state taxes. Therefore, this measure ensures greater transparency and accountability of faculty and staff who fulfill responsibilities outside of the State while ensuring continuity of University operations. Your Committee acknowledges the concerns raised by the University of Hawaii regarding the specificity of reporting requirements. As certain faculty and staff members travel for academic conferences, trainings, and directed business that requires out-of-state travel, and that further clarification is needed regarding the level of detail to meet reporting requirements.

Accordingly, your Committee has amended this measure by clarifying that the reporting requirement apply only to employees who worked outside of the State for more than sixty consecutive days.

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. 2946, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2946, 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. 2209 Housing on S.B. No. 1170

The purpose and intent of this measure is to temporarily require the counties to issue affordable housing credits for affordable housing units that are constructed pursuant to chapter 201H, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from AARP Hawaii and NAIOP Hawaii.

Your Committee received testimony in opposition to this measure from the City and County of Honolulu Department of Planning and Permitting.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation and County of Hawai'i Office of Housing and Community Development.

Your Committee finds that a 2019 study commissioned by the Department of Business, Economic Development, and Tourism found that the State will require an additional 50,156 homes by the year 2025. Your Committee also finds that residential mortgage interest rates have increased dramatically since 2021, directly affecting residents who wish to own a home.

Your Committee further finds that real estate construction loan interest rates have also increased since 2021 which has severely impaired the ability of the Hawaii Housing Finance and Development Corporation to increase the affordable housing supply in the State. This measure will help ensure the continued production of affordable and workforce housing units.

Your Committee has amended this measure by:

- (1) Authorizing the Department of Hawaiian Home Lands to enter into memorandums of agreement with any of the counties, not just Kauai County and City and County of Honolulu;
- (2) Specifying that each county and the Hawaii Community Development Authority shall recognize housing units developed pursuant to section 201H-38, Hawaii Revised Statutes, and issue affordable housing credits to the eligible developer for residences required to be sold or rented to individuals within a specified income range, if a developer chooses to receive affordable housing credits;
- (3) Amending the definition of “affordable housing obligation” to include requirements imposed by the Hawaii Community Development Authority; and
- (5) 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1170, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1170, 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. 2210 Housing on S.B. No. 1208

The purpose and intent of this measure is to increase the low-income household renter’s tax credit.

Your Committee received testimony in support of this measure from Americans for Democratic Action Hawaii, Democratic Party of Hawai’i, AARP Hawai’i, and Aloha United Way.

Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that Hawaii has the second highest housing costs in the nation and that the fair market rent in the State increased by sixty-seven percent between 2005 and 2015. This puts significant strain on the State’s residents, especially those making at or close to minimum wage. This measure aims to reduce this burden by raising the tax credit for low-income renters within the State.

Your Committee has amended this measure by:

- (1) Inserting language raising the credit value above \$100 by using tax brackets for individuals and different categories of households;
- (2) Annually adjusting the income threshold and credit amounts for inflation, based on the consumer price index;
- (3) Making the measure apply to taxable years beginning after December 31, 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1208, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1208, 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. 2211 Housing on S.B. No. 1461

The purpose and intent of this measure is to:

- (1) Amend the exemption from the requirement that plans and specifications for construction projects be prepared and construction observed by a licensed engineer, architect, or landscape architect to be determined by floor area of work, rather than estimated cost; and
- (2) Exempt one- or two-storied structures that are used primarily as a residence from these requirements.

Your Committee received testimony in opposition to this measure from the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects and one individual.

Your Committee received comments on this measure from the Grassroot Institute of Hawaii.

Your Committee finds that the State is undergoing a housing crisis. This issue is made worse by factors like inflation, which can severely increase costs to construct new housing or make repairs to existing residences. This measure establishes certain exemptions from certain requirements that can add to these costs, by shifting the qualification from cost of work to floor area of work.

Your Committee notes that this measure is a carryover measure from the Regular Session of 2023 and that amendments are necessary to incorporate statutory changes from Act 177, Session Laws of Hawaii 2023 (Act 177). Accordingly, your Committee has amended this measure by incorporating statutory amendments from Act 177.

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. 1461, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1461, 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 (Kanuha).

SCRep. 2212 Housing on S.B. No. 2034

The purpose and intent of this measure is to:

- (1) Authorize the issuance of general obligation bonds for the Hawaii Housing Finance and Development Corporation's and Hawaii Public Housing Authority's programs to develop housing exclusively for residents of the State who are owner- or renter-occupants and own no other real property; and
- (2) Make appropriations.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority, Hawaii Housing Finance and Development Corporation, Office of Planning and Sustainable Development, Partners in Care, NAIOP Hawaii, Catholic Charities Hawai'i, AARP Hawai'i, Aloha United Way, Hawai'i Children's Action Network Speaks!, and three individuals.

Your Committee received comments on this measure from the Department of the Attorney General and Department of Budget and Finance.

Your Committee finds that Hawaii has a severe shortage of housing and also experiences one of the highest costs of housing in the country. Building more affordable housing ensures a more resilient future for the State's residents. This measure will provide much needed funding for the Hawaii Housing Finance and Development Corporation and the Hawaii Public Housing Authority to increase housing stock in the State, assure affordability, deconcentrate poverty, and create vibrant mixed-income and mixed-use communities for generations to come.

Your Committee notes the concerns raised in testimony that this measure would increase annual debt service costs and double the current capital improvement program budget in the 2024-2025 fiscal year. However, the Hawaii Housing Finance and Development Corporation testified that the funds made available by this measure are used to make loans to entities that then repay the loans with interest to the State. Accordingly, the revenue returned to the State, plus interest, can be used to service the debt and associated costs.

Your Committee has amended this measure by:

- (1) Clarifying that the general obligation bonds shall be issued for the purposes of financing projects for the Hawaii Housing Finance and Development Corporation and Hawaii Public Housing Authority housing for qualified residents, as defined in section 201H-32, Hawaii Revised Statutes;
- (2) Correcting the lapse date to June 30, 2026;
- (3) Deleting the general fund expenditure ceiling declaration, as there is no general fund appropriation in 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2034, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2034, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Aquino).

SCRep. 2213 Housing on S.B. No. 2044

The purpose and intent of this measure is to:

- (1) Establish that the transfer of a controlling interest in an entity that owns real property in the State shall be subject to the conveyance tax established in chapter 247, Hawaii Revised Statutes;
- (2) Require the conveyance tax collected on the transfer of the controlling interests to be deposited into the Dwelling Unit Revolving Fund; and
- (3) Require the Department of Taxation to adopt rules.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and one individual.

Your Committee received testimony in opposition to this measure from NAIOP Hawaii, Cave Conservancy of Hawai'i, and three individuals.

Your Committee received comments on this measure from the Department of Taxation, Department of Land and Natural Resources, Tax Foundation of Hawaii, and Trust for Public Land.

Your Committee finds that there is currently a loophole within the conveyance tax that allows entities to bypass this tax by transferring the controlling interest in companies that own the real property.

Your Committee further finds that this issue has caused the State to lose funds that could have been used for other purposes.

This measure will close this loophole and make the conveyance tax applicable to these entity-level transactions to fund the development of critically-needed housing in the State.

Your Committee notes the concerns raised in testimony that the Bureau of Conveyances is the agency responsible for assessing the imposition of the conveyance tax as it presently functions under existing law and that, without the proper staff or resources available to properly vet these types of entity-level transfers, the complex assessment duties will fall upon the Department of Taxation. The Department of Taxation, however, testified that this measure imposes a voluntary reporting requirement, which would be sufficient to address these concerns. Additional concerns were raised alleging that this measure would move funds from the Land Conservation Fund to the Dwelling Unit Revolving Fund. However, this measure, as amended by your Committee, clarifies that an unspecified percentage of the conveyance taxes collected be deposited into the Dwelling Unit Revolving Fund, which would otherwise be credited to the General Fund. Therefore, no amounts deposited into the Land Conservation Fund are affected by this measure. Based on the discussion held at the public hearing on this measure, it was proffered that twenty-five percent of the conveyance tax collected be deposited into the Dwelling Unit Revolving Fund, and your Committee respectfully requests that this figure be considered as this measure moves through the legislative process.

Your Committee has amended this measure by:

- (1) Clarifying that the conveyance taxes collected on the transfers or acquisitions of controlling interests in entities be deposited in accordance with section 247-7, Hawaii Revised Statutes;
- (2) Inserting language that specifies the amount of the tax shall be based on the fair market value of the real property owned by the entity at the time the controlling interest is transferred or acquired;
- (3) Inserting language requiring that an unspecified percentage, or an unspecified dollar amount, whichever is less, be paid into the Dwelling Unit Revolving Fund; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2044, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2044, 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. 2214 Higher Education on S.B. No. 3187

The purpose and intent of this measure is to require the tuition residency rules for the University of Hawaii to grant the resident tuition fee for enrollment at any University of Hawaii campus to individuals who have graduated from a Hawaii high school and are enrolling in an undergraduate degree program, under certain conditions.

Your Committee received testimony in support of this measure from the University of Hawai'i System and Hawai'i P-20 Partnerships for Education.

Your Committee finds that post-secondary education provides students with educational opportunities to secure higher paying jobs. However, some Hawaii high school graduates may leave the State for personal reasons for a period of time that may prevent them from immediately enrolling in the University of Hawaii System. Creating additional opportunities for Hawaii high school graduates to attend a University of Hawaii campus offers students a faster transition into their current degree program, or pathways to a different career without additional delays. Your Committee further finds that graduates will also contribute to the State's economy and alleviate the loss of talented residents who do not return. Accordingly, this measure provides Hawaii high school graduates with additional opportunities to pursue higher education while also streamlining the application process for prospective resident students.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3187 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. 2215 (Joint/Majority) Housing and Water and Land on S.B. No. 2018

The purpose and intent of this measure is to:

- (1) Prohibit a county from changing the land use designation or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing zoning district below what was allowed under the general plan or specific land use designation and zoning ordinances in effect on January 1, 2024; and
- (2) Allow a county to change a land use designation or zoning ordinance to a less intensive use if the county concurrently enacts measures to ensure that there is no net loss in residential capacity.

Your Committees received testimony in support of this measure from the Grassroot Institute of Hawaii.

Your Committees received testimony in opposition to this measure from the Department of Planning of the County of Kauai and one individual.

Your Committees find that Hawaii is experiencing a housing crisis. Currently, counties have the ability to downzone lands to less intensive use, reducing their capacity to house the future population growth, without concurrent requirement or incentive to increase housing capacity on other lands. As a result, fewer and fewer units of housing can be constructed, limiting the ability of the county to increase its housing supply to meet demand. Your Committees further find that a county's ability to downzone should be balanced with

a requirement to upzone elsewhere to preserve or increase the total number of homes that can be built in the county. This measure ensures that each county's housing capacity is protected from erosion through future downzoning.

Your Committees heard the concerns raised in testimony relating to Kauai County and its use of downzoning to help combat coastal hazards and the alleged conflicts of this measure with the County's General Plan. Your Committees note, however, that this measure does not conflict with Kauai County General Plan policies, as this measure still allows for downzoning as long as new residential capacity is provided elsewhere.

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. 2018 and recommend that it pass Second Reading 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).

Water and Land: Ayes, 3; Ayes with Reservations (Elefante). Noes, 1 (McKelvey). Excused, 1 (Fevella).

SCRep. 2216 Housing on S.B. No. 2870

The purpose and intent of this measure is to establish a working group within the Hawaii Housing Finance and Development Corporation to identify existing mixed-use developments in Maui County that could be acquired by the Hawaii Housing Finance and Development Corporation.

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

Your Committee received comments on this measure from the Office of Planning and Sustainable Development.

Your Committee finds that there is an urgent need to increase affordable housing supply within the State. Housing is especially needed on Maui amid the ongoing redevelopment efforts. This measure will help identify specific existing developments to increase Maui's affordable housing supply and support its redevelopment efforts.

Your Committee has heard the concerns raised in testimony that this measure, as currently written, lacks funding to allow the Hawaii Housing Finance and Development Corporation to negotiate and follow through to acquire the prospective affordable housing developments. Your Committee finds that these issues and concerns merit further consideration by future Committees who may choose to hear this measure as it advances through the legislative process.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2870 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 (Kanuha).

SCRep. 2217 Housing on S.B. No. 2925

The purpose and intent of this measure is to:

- (1) Require the Hawaii Housing Finance and Development Corporation to hold at least one application period each year to receive applications from parties interested in applying for financing of projects to develop or improve infrastructure that is or will be used solely for certain housing projects;
- (2) Require the Hawaii Housing Finance and Development Corporation to adopt certain administrative rules; and
- (3) Make an appropriation into and out of the Dwelling Unit Revolving Fund.

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

Your Committee finds that infrastructure costs are one of the biggest barriers to the development of housing within the State. The cost to develop infrastructure is typically shouldered by private housing developers, who then recoup these costs when selling or renting housing units. This measure aims to increase the affordable housing in the State by providing funds to the Dwelling Unit Revolving Fund to finance projects to develop or improve certain infrastructure.

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. 2925 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 (Kanuha).

SCRep. 2218 (Majority) Water and Land on S.B. No. 2297

The purpose and intent of this measure is to clarify that:

- (1) The Board of Land and Natural Resources shall retain its authority over State conservation districts located on Mauna Kea lands and that this authority shall not transfer to the Mauna Kea Stewardship and Oversight Authority with the expiration of the five-year transition period established by Act 255, Session Laws of Hawaii 2022; and

- (2) The natural resource management enforcement and emergency response of Mauna Kea lands shall remain the responsibility of the Division of Conservation and Resources Enforcement of the Department of Land and Natural Resources beyond the expiration of the five-year transition period pursuant to Act 255, Session Laws of Hawaii 2022.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs and one member of the Hawai'i County Council.

Your Committee received testimony in opposition to this measure from the Mauna Kea Stewardship Oversight Authority and one individual.

Your Committee received comments on this measure from the Department of Land and Natural Resources and University of Hawaii.

Your Committee finds that Act 255, Session Laws of Hawaii 2022, established the Mauna Kea Stewardship and Oversight Authority, stipulating that after a five-year transition period, the Mauna Kea Stewardship and Oversight Authority would acquire the powers and duties previously held by the Board of Land and Natural Resources and the Land Use Commission pertaining to the Mauna Kea lands. However, it is unclear as to whether the Department of Land and Natural Resources is responsible for lands within the state conservation district, including lands identified and defined as "Mauna Kea lands". This measure clarifies the jurisdictions held by the Mauna Kea Stewardship and Oversight Authority and the Board of Land and Natural Resources.

Your Committee has amended this measure by:

- (1) Clarifying that areas under the state conservation district shall not be transferred to any other entity;
- (2) Adding new language clarifying that the Board of Land and Natural Resources has an affirmative and non-transferable duty to uphold and protect the traditional and customary rights of Native Hawaiians as provided by article 7 of the Hawaii State Constitution; and
- (3) Inserting an effective date of July 1, 2025.

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. 2297, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2297, 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; Ayes with Reservations (Chang, McKelvey). Noes, 2 (Elefante, Fevella). Excused, none.

SCRep. 2219 (Joint) Health and Human Services and Public Safety and Intergovernmental and Military Affairs on S.B. No. 2854

The purpose and intent of this measure is to establish a Vacated Encampment Clean Up Task Force to identify potential entities to enter into intergovernmental agreements to coordinate the clean up of vacated encampments located on lands managed by United States Army Garrison Hawaii and to appropriate funds.

Your Committees received testimony in support of this measure from the Waikele Community Association and five individuals.

Your Committees received comments on this measure from the Department of the Attorney General, Department of Transportation, United States Army Garrison Hawaii, and Hawaii Military Affairs Council.

Your Committees find that there is a need to collaborate with intergovernmental departments to address the challenges of homelessness including those with encampments managed by the United States Army Garrison. Debris left behind when encampments are vacated pose environmental and public hazards, including risk of wildfires. Your Committees further find that an intergovernmental task force to identify and manage vacated encampments located on land managed by the United States Army Garrison will aid in addressing the challenges of homelessness.

Your Committees have amended this measure by:

- (1) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on 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. 2854, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2854, 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).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2220 (Joint) Health and Human Services and Public Safety and Intergovernmental and Military Affairs on S.B. No. 3118

The purpose and intent of this measure is to appropriate funds and authorize the Department of Human Services to provide temporary emergency assistance, case management, and other recovery services following the period covered by an emergency proclamation and establish an emergency management program within the Director of Human Services' office.

Your Committees received testimony in support of this measure from the Department of Human Services and one individual.

Your Committees received comments on this measure from the State Procurement Office.

Your Committees find that the Department of Human Services currently is not authorized to provide temporary emergency public assistance and recovery services beyond the emergency or disaster declaration period to people or organizations affected by emergencies and who require additional assistance and services. This measure will allow the Department of Human Services to continue the provision of much needed recovery services beyond the declared emergency period.

Your Committees have amended this measure by:

- (1) Inserting language to limit the Department of Human Services' exemption from the procurement code to two years;
- (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 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. 3118, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3118, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2221 (Joint) Health and Human Services and Public Safety and Intergovernmental and Military Affairs on S.B. No. 3126

The purpose and intent of this measure is to:

- (1) Establish an Emergency Aeromedical Services Partnership Program to be administered by the Department of Health in counties with a population less than 500,000;
- (2) Require cost-sharing for program operations and maintenance and revenue sharing between the State and the County of Hawaii, County of Kauai, and County of Maui;
- (3) Authorize deposits into the Emergency Medical Services Special Fund; and
- (4) Appropriate funds.

Your Committees received testimony in support of this measure from the Department of Health, one member of the Maui County Council, Hawai'i Pacific Health, Queen's Health System, Global Medical Response, and one individual.

Your Committees find that a comprehensive statewide air ambulance program will greatly improve health care for rural areas at greater risk of poor health outcomes. The existing system of interisland emergency medical transport is overburdened posing a risk to health and safety. Your Committees further find that the approximate cost for funding out of the general fund is \$18,000,000, however, more details need to be discussed, including how the program participants and stakeholders may share the cost to maintain assets.

Your Committees have amended this measure by:

- (1) Inserting an unspecified appropriation amount into and out of the Emergency Medical Services Special Fund;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees 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 considers inserting an appropriation amount of \$18,000,000 for fiscal year 2024-25.

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. 3126, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3126, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2222 Hawaiian Affairs on S.B. No. 3363

The purpose and intent of this measure is to provide that a living beneficiary's place on the Department of Hawaiian Home Lands' waitlist for any residential or commercial agricultural tract may be designated for transfer to a successor if the living beneficiary dies before receiving an offer for a tract; provided that the successor shall be at least 1/32 Hawaiian.

Your Committee received testimony in support of this measure from Ho'omana Pono, LLC and six individuals.

Your Committee received testimony in opposition to this measure from two individuals.

Your Committee received comments on this measure from Department of the Attorney General and Department of Hawaiian Home Lands.

Your Committee finds that it is the mission of the Department of Hawaiian Home Lands to develop and deliver land to native Hawaiians. However, as time goes by, the number of native Hawaiians with a blood quantum of fifty percent or more continues to

diminish, while the number of native Hawaiians on the Department of Hawaiian Home Lands' waitlist continues to grow. This measure recognizes the importance of the succession rights of native Hawaiian beneficiaries and will ensure that the intent of providing lands for native Hawaiians is upheld.

Your Committee has amended this measure by:

- (1) Specifying that this measure shall be implemented by the Department of Hawaiian Home Lands at the sole discretion of the Hawaiian Homes Commission;
- (2) Specifying that a living beneficiary's place on the Department of Hawaiian Home Lands' waitlist is for residential, agricultural, or pastoral tracts;
- (3) Amending section 207 and 208, Hawaiian Homes Commission Act, 1920, as amended, to clarify that the Department of Hawaiian Home Lands' lease may be awarded to native Hawaiians or qualified application successors; and
- (4) Making it effective upon either the date that Congressional approval is deemed unnecessary, or on the date of consent by the United States Congress.

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. 3363, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3363, 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. 2223 Hawaiian Affairs on S.B. No. 3336

The purpose and intent of this measure is to appropriate funds to the Office of Hawaiian Affairs for the retention of third-party professionals with the necessary financial, accounting, and land inventory expertise to evaluate and address the completeness and accuracy of the public land trust information system, so that the Public Land Trust Working Group may complete its objectives pursuant to Act 226, Session Laws of Hawaii 2022.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Public Land Trust Working Group; Ho'omana Pono, LLC; and two individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee received comments on this measure from the Department of Land and Natural Resources and State Procurement Office.

Your Committee finds that the Legislature must set right and fulfill its trust responsibilities to native Hawaiians. To this end, the Legislature passed Act 226, Session Laws of Hawaii 2022, which established the Public Land Trust Working Group to account for ceded lands in the Public Land Trust Inventory, income and proceeds derived from the trust, and transfer moneys to the Office of Hawaiian Affairs.

However, the Public Land Trust Working Group cannot complete its objectives because the public land trust information system may not be complete or accurate. This measure will appropriate funds to provide assistance in assessing the completeness and accuracy of the public land trust information system.

Your Committee has amended this measure by changing language that would have required purchases made with appropriated funds to be exempt from the State Procurement Code, to language requiring purchases made with appropriated funds to be in compliance with the State Procurement Code.

Your Committee notes the concerns raised by the Department of Land and Natural Resources that issues identified as potential errors or data gaps are not necessarily indicative of flaws in the public land trust information system and therefore if the Public Land Trust Working Group has any concerns about the accuracy or completeness of information contained in the public land trust information system, it must consult the relevant agency that has jurisdiction over the land in question, rather than the Department of Land and Natural Resources. The Department of Land and Natural Resources acknowledges the need to update and upgrade the public land trust information system, and to this end, has submitted its own appropriation request.

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. 3336, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3336, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2224 (Majority) Hawaiian Affairs on S.B. No. 3308

The purpose and intent of this measure is to require the use of modern Hawaiian orthography, including the kahako and okina on the state seal.

Your Committee received testimony in support of this measure from six individuals.

Your Committee received comments on this measure from two individuals.

Your Committee finds that the Hawaiian language, also known as Olelo Hawaii is an official language of the State. As a symbol of the State, the state seal should reflect that. To this end, this measure requires that the state seal use modern Hawaiian orthography, provided that valid representations of the seal created before this measure shall remain valid.

Your Committee notes the concerns raised in testimony that modern Hawaiian orthography, including the kahako and okina, is a modern system imposed on the Hawaiian language to help second language learners pronounce the word when oral examples are lacking, and to determine the meaning of a word in print when the oral example is also absent and that the vast majority of residents have some familiarity with Olelo Hawaii that enable them to discern the correct meaning without the additions of okina or kahako.

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. 3308 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Ayes, 3; Ayes with Reservations (Ihara, Richards, Shimabukuro). Noes, 2 (Keohokalole, Fevella). Excused, none.

SCRep. 2225 (Joint) Hawaiian Affairs and Housing on S.B. No. 2654

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 Department of Hawaiian Home Lands; Keaukaha Pana'ewa Farmers Association; Ho'omana Pono, LLC; Dowling Company, Inc; and nine 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 Taxation, and Tax Foundation of Hawaii.

Your Committees find that homestead lots or housing developed for the Department of Hawaiian Home Lands that is awarded to native Hawaiians, are offered at rates that are affordable in comparison to similar housing opportunities available in Hawaii. This measure will exempt any development of homestead lands from general excise and use taxes, which will further reduce the housing costs for Department of Hawaiian Home Lands beneficiaries.

Your Committees have amended this measure by:

- (1) Specifying that the tax exemptions proposed by this measure shall apply only to housing projects that shall be awarded to and occupied by beneficiaries of the Department of Hawaiian Home Lands; and
- (2) Inserting an effective date of July 1, 2024.

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. 2654, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2654, 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.

Housing: Ayes, 5. Noes, none. Excused, none.

SCRep. 2226 (Joint/Majority) Hawaiian Affairs and Housing on S.B. No. 2779

The purpose and intent of this measure is to require the Department of Hawaiian Home Lands to build sufficient rental housing, including rental apartment units, and rent-with-option-to-buy housing units, to satisfy the housing needs of native Hawaiians on the waitlist for homestead leases.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands; Hawai'i State Youth Commission; Ho'omana Pono, LLC; and five individuals.

Your Committees received testimony in opposition to this measure from the Keaukaha Pana'ewa Farmers Association and eight individuals.

Your Committees find that the Department of Hawaiian Home Lands is obligated to develop and deliver land to its native Hawaiian beneficiaries. However, as of December 31, 2022, approximately 29,300 native Hawaiian adults were on the waitlist for homesteads. This measure will be a step toward reducing the Department of Hawaiian Home Lands' waitlist backlog, which has not significantly decrease despite plans to develop more Hawaiian home lands lots.

Your Committees have amended this measure by:

- (1) Deleting language that would have required the Department of Hawaiian Home Lands to build sufficient rental housing, including rental apartment units, and rent-with-option-to-buy housing units, to satisfy the housing needs of native Hawaiians on the waitlist for homestead leases; and
- (2) Inserting language that requires the Department of Hawaiian Home Lands to:
 - (A) Ensure compliance with the plan implemented in Act 279, Session Laws of Hawaii 2022, as approved by the Hawaiian Homes Commission in August 2022, and whose findings were approved by Governor Ige in December 2022;
 - (B) Utilize trust assets and formulate plans, proposals, and budget requests that shall cause the immediate reduction of the number of native Hawaiian beneficiaries on the Department's waitlist;
 - (C) Utilize the beneficiary survey conducted in 2020 to guide decision making and consult native Hawaiian beneficiaries as necessary to ensure that the Department of Hawaiian Home Lands serves in their best interest; and
 - (D) Consider all models of development and financial opportunities that may assist beneficiaries in acquiring lease awards.

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. 2779, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2779, 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.
 Housing: Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 2227 Judiciary on S.B. No. 2523

The purpose and intent of this measure is to require the Judiciary to establish a three-year pilot program to provide free child care services to minor children of parties and witnesses who are attending court hearings in the first circuit.

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 Judiciary.

Your Committee finds that due to the high cost of child care, many parents are unable to afford to pay for child care services while they attend court hearings. Additionally, the availability of child care in licensed and registered family child care homes and child care centers has been on the decline since before the coronavirus disease 2019 pandemic, leaving many families unable to secure child care. This measure will allow parents to attend necessary court proceedings without the burdens of finding and affording child care services.

Your Committee has amended this measure by:

- (1) Deleting language that would have required the Judiciary to establish a three-year pilot program to provide free child care services to minor children of parties and witnesses who are attending court hearings in the first circuit;
- (2) Adding language that requires the Judiciary to conduct a study to determine how to implement a program no later than July 1, 2025 that provides free child care services to minor children of parties and witnesses who are attending court hearings in the First Circuit Family Court;
- (3) Deleting language requiring the Judiciary to submit reports to the Legislature regarding the three-year pilot program;
- (4) Requiring the Judiciary to submit a report regarding the study no later than forty days prior to the convening of the Regular Session of 2025;
- (5) Decreasing the appropriation amount to \$75,000; 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. 2523, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2523, 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. 2228 Labor and Technology on S.B. No. 560

The purpose and intent of this measure is to amend the law relating to Labor.

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 transfer the Workforce Development Division from being directly part of the Department of Labor and Industrial Relations to the Workforce Development Council, an entity that is administratively attached to the Department of Labor and Industrial Relations.

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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 560, as amended herein, and recommends that it be recommitted to your Committee on Labor and Technology, in the form attached hereto as S.B. No. 560, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.
 Ayes, 3. Noes, none. Excused, 2 (Lee, Fevella).

SCRep. 2229 Health and Human Services on S.B. No. 3142

The purpose and intent of this measure is to authorize the Department of Health to transfer federal capitalization grant funds between the Water Pollution Control Revolving Fund and the Drinking Water Treatment Revolving Loan Fund, in accordance with title 40 Code of Federal Regulations section 35.3530(c).

Your Committee received testimony in support of this measure from the Department of Health and Ulupono Initiative.

Your Committee finds that the quality of the environment and the economy of the State are both of utmost importance to the welfare of the people of the State. Your Committee further finds that there is an increasing demand for the replacement of aging drinking water and wastewater system infrastructure in the State, the delay of which could pose short-term and long-term health hazards for consumers statewide. Your Committee additionally finds that the incorporation of capitalization grant transfer authority between the Drinking Water Treatment Revolving Loan Fund and the Water Pollution Control Revolving Fund programs, as currently allowed under title 40 Code of Federal Regulations section 35.3530(c), can greatly assist the two programs with additional planning and

priority setting; maximizing of the two infrastructure funding programs by directing federal funds where they are most needed; and ensuring that annual federal capitalization grant moneys awarded to the two programs will be disbursed as quickly as possible.

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. 3142, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3142, 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 (Awa).

SCRep. 2230 Health and Human Services on S.B. No. 238

The purpose and intent of this measure is to:

- (1) Expand the time period by which a civil action for childhood sexual abuse may be initiated, including an otherwise time-barred action; and
- (2) Authorize a court to require personnel of legal entities to undergo training on trauma-informed response.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, Democratic Party of Hawai'i, American Association of University Women Hawai'i, Kapiolani Sex Abuse Treatment Center, Hawaii Association for Justice, Imua Alliance, Rainbow Family 808, Hawai'i Youth Services Network, Hawaii Young Republicans, Hawai'i State Coalition Against Domestic Violence, Aloha United Way, CARES, and twelve 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 Roman Catholic Church in Hawai'i.

Your Committee finds that victims of childhood sexual abuse experience long-term damaging effects that cause significant disruptions in their lives. Your Committee also finds that survivors of childhood sexual abuse more often than not will withhold disclosure for years, if not decades, due to fear of retaliation or further harm. This measure will provide survivors of childhood sexual abuse with additional time to bring claims and seek justice against their abusers and prevent future harm by the legal entity against whom the claim was brought.

Your Committee notes the concerns raised in testimony with regard to allowing child sexual abuse victims to be monetarily compensated. Your Committee also notes concerns regarding this measure extending the statute of limitations by not just years, but decades, which would likely prejudice the parties involved in a lawsuit as the integrity of the evidence becomes strained and memories fade, witnesses relocate or pass away, and documents are lost or destroyed. Amendments to this measure are therefore necessary to address these concerns.

Your Committee has amended this measure by:

- (1) Deleting section 2 of the measure, which would have:
 - (A) Expanded the time period by which a civil action for childhood sexual abuse may be initiated; and
 - (B) Authorize a court to require personnel of legal entities to undergo training on trauma-informed response;
- (2) Inserting language to establish a working group to examine:
 - (A) Reparations for victims of child sexual abuse; and
 - (B) The fiscal impact on childcare insurance providers, including increases in insurance premiums;
- (3) Adding the following members to the working group:
 - (A) The Chairperson of the Women's Legislative Caucus;
 - (B) The Attorney General or the Attorney General's designee;
 - (C) The Insurance Commissioner or the Insurance Commissioner's designee;
 - (D) One member from the Hawaii Association for Justice to be invited by the Chairperson;
 - (E) One member from the Hawaii State Bar Association Insurance Coverage Litigation to be invited by the Chairperson; and
 - (F) Any other members selected or invited by the President of the Senate or the Speaker of the House of Representatives;
- (4) Requiring the working group to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025;
- (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. 238, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 238, 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. 2231 Health and Human Services on S.B. No. 849

The purpose and intent of this measure is to:

- (1) Amend the state supplemental payment ceiling amounts for domiciliary care paid to recipients who are eligible for federal supplementary security income or public assistance, or both; and
- (2) Amend the monthly needs allowance for individuals residing in foster homes, care homes, domiciliary homes, and other long-term care facilities.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Department of Human Services, Department of Health, Work Now Hawaii, La'akea Village, Arc of Maui County, Hawaii Self-Advocacy Advisory, and sixteen individuals.

Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that monthly personal needs allowance funds allow individuals living in long-term care facilities to make personal purchases of goods or services, enabling self-determination and personal choice by the individuals over their own lives. The allowance also allows individuals with developmental disabilities who reside in these home settings opportunities to participate in social events and improve their quality of life. Your Committee further finds that the current monthly personal needs allowance of \$50 has not been raised since 2007. Therefore, it is crucial that the allowance amount be raised to reflect the substantial rise in inflation rates.

Your Committee notes that although this measure contains an unspecified implementation date for the increase in the state supplemental payment ceiling amounts, the testimony of the Department of Human Services provides that it will be able to make system changes for the implementation in one hundred twenty days. Accordingly, your Committee respectfully requests that subsequent Committees to which this measure is referred consider this time frame when determining the implementation date as this measure moves through the legislative process.

Your Committee further notes that the testimony of the Department of Human Services also sets forth the specific state supplemental payment ceiling amounts needed to increase the monthly personal needs allowance to \$75 without additional appropriation.

Accordingly, your Committee has amended this measure by:

- (1) Setting the state supplemental payment ceiling for type I adult residential care homes, licensed developmental disabilities domiciliary homes, community care foster family homes, and certified adult foster homes at \$809.00;
- (2) Setting the state supplemental payment ceiling for type II adult residential care homes at \$917.00;
- (3) Clarifying that the state supplemental payment ceiling amounts above include the care rate and personal needs allowance; and
- (4) Setting the monthly needs allowance at \$75.

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. 849, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 849, 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. 2232 Health and Human Services on S.B. No. 3124

The purpose and intent of this measure is to authorize the Director of Health to permit online access to apply for marriage and civil union licenses in lieu of in-person applications, as specified in rules adopted pursuant to chapter 91, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Health and CARES.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that modern telecommunications technologies provide high quality image and audio resolution and fidelity, sufficient security for sharing personal and confidential information, and convenience for governmental agencies and for individuals. Your Committee further finds that permanently authorizing synchronous online access to apply for marriage and civil union licenses will increase access to government services with minimal additional burdens or risks.

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. 3124 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. 2233 (Joint) Hawaiian Affairs and Housing on S.B. No. 3213

The purpose and intent of this measure is to require that one percent of the transient accommodations tax be allocated to the Department of Hawaiian Home Lands for the purposes of building affordable housing for individuals on the Department of Hawaiian Home Lands waiting list.

Your Committees received testimony in support of this measure from Ho‘omana Pono, LLC and seven individuals.

Your Committees received testimony in opposition to this measure from two individuals.

Your Committees received comments on this measure from the Department of Budget and Finance and Tax Foundation of Hawaii.

Your Committees find that in fulfilling its obligation to native Hawaiians, the Department of Hawaiian Home Lands has largely focused on developing single-family homes. With rising housing costs and more than forty thousand applicants on a waiting list for available housing opportunities, the Department of Hawaiian Home Lands must expand its ability to develop not only single-family homes, but also multi-family homes, rental and transitional units, and other alternative housing options for individuals currently on the waiting list, to meet the needs of the State’s native Hawaiian population. This measure seeks to fund this endeavor by requiring that one percent of the transient accommodations tax be allocated to the Department of Hawaiian Home Lands for the purposes of building affordable housing for individuals on the Department of Hawaiian Home Lands waiting list.

Your Committees note the concerns raised by the Department of Budget and Finance and Tax Foundation of Hawaii, including the concerns about the earmark and concerns that the bill does not specify where the allocated funds shall be deposited, nor does it provide an appropriation to the Department of Hawaiian Home Lands to expend the funds. Your Committees respectfully request that these concerns be considered by subsequent committees as this measure progresses through the legislative process.

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. 3213 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Hawaiian Affairs: Ayes, 5. Noes, none. Excused, none.
Housing: Ayes, 5. Noes, none. Excused, none.

SCRep. 2234 Hawaiian Affairs on S.B. No. 2397

The purpose and intent of this measure is to prohibit lessees who sell or transfer their interest in a Hawaiian Home Lands tract for personal gain from being placed on any subsequent waiting list maintained by the Department of Hawaiian Home Lands for an additional lease.

Your Committee received testimony in support of this measure from Ho‘omana Pono, LLC and two individuals.

Your Committee received testimony in opposition to this measure from three individuals.

Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that certain native Hawaiians who are eligible for a lease pursuant to the Hawaiian Homes Commission Act, 1920, as amended, have acquired a lease, sold or transferred their interest in the lease, and then placed their name on the waiting list for a second lease of Hawaiian Home Lands, which has contributed to many eligible native Hawaiians never receiving a lease offer. All Department of Hawaiian Home Lands beneficiaries should be able to enter the Hawaiian Homes Commission Act Program with a reasonable expectation of eventually receiving a lease. This measure will ensure fairness in the distribution of leases to all beneficiaries.

Your Committee has amended this measure by:

- (1) Adding a definition of “personal gain” to mean an action that is purely motivated by the desire to make a profit;
- (2) Specifying that this measure shall be implemented by the Department of Hawaiian Home Lands at the sole discretion of the Hawaiian Homes Commission; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes the concerns raised by opponents to the measure and emphasizes that this measure is aimed only at those beneficiaries who sell or transfer their leases purely for personal gain. Your Committee also notes the testimony of Ho‘omana Pono, LLC, suggesting that the Department of Hawaiian Home Lands track sales and transfers by lessees and that the Hawaiian Homes Commission should consider approving sales or transfers before they occur. Your Committee respectfully requests that these issues be considered by subsequent committees should they choose to deliberate on this measure as it progresses through the legislative process.

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. 2397, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2397, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2235 (Joint) Housing and Water and Land on S.B. No. 1587

The purpose and intent of this measure is to:

- (1) Establish the Affordable Housing Land Inventory Task Force to update the maps, tier tables, and inventories of state lands suitable and available for affordable housing development in the Affordable Rental Housing Report and Ten-Year Plan; and
- (2) Require the Task Force to report to the Legislature.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Building Industry Association Hawaii, Hawai‘i Association of REALTORS, Hawaii Leeward Planning Conference, Hawaii Island Economic Development Board, and three individuals.

Your Committees received comments on this measure from the Office of Planning and Sustainable Development.

Your Committees find that Hawaii is one of the most expensive states in the nation in regards to housing, with median housing costs almost three times higher than the national average. This is a result of limits on land use within the State, restrictive housing regulations, and permit delays, among other things. This measure aims to reduce this issue by identifying opportunities to efficiently and quickly develop affordable housing.

Your Committees have amended this measure by:

- (1) Placing the Task Force in the Hawaii Community Development Authority rather than the Office of Planning and Sustainable Development, for administrative purposes;
- (2) Adding the Chairperson of the Board of Land and Natural Resources as a member of the Task Force;
- (3) Clarifying that representatives from organizations with experience in development or redevelopment may be invited to serve as members of the Task Force;
- (4) Deleting the Executive Director of the Hawaii Green Infrastructure Authority, Deputy Director of the Highways Division of the Department of Transportation, and Chair of the Public Utilities Commission as members of the Task Force;
- (5) Clarifying that the Executive Director of the Land Use Commission, rather than the Chair of the Land Use Commission, shall be a member of the Task Force;
- (6) Requiring the Task Force to focus on existing urban lands to minimize the need for major regional infrastructure improvements;
- (7) Requiring the Task Force to examine mixed-use development opportunities to redevelop underutilized State-owned lands with only one government tenant or use;
- (8) Requiring the Task Force to identify lands to accommodate one hundred thousand new housing units and designating such lands as important housing lands;
- (9) Delaying the reporting and termination dates of the Task Force by one year;
- (10) Inserting language declaring that the general fund expenditure ceiling is exceeded;
- (11) Inserting an appropriation to the Hawaii Community Development Authority for a staff position and for contractual services; and
- (12) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Housing and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1587, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1587, 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).

Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2236 (Joint) Education and Labor and Technology on S.B. No. 2475

The purpose and intent of this measure is to:

- (1) Establish a Harm to Students Registry for all prekindergarten through grade twelve institutions operating in the State to be administered by the Department of Education;
- (2) Require schools to complete any investigation into employees who have pending allegations of harming students, regardless of employment status;
- (3) Require schools to consult with the Harm to Students Registry before authorizing prospective employees or volunteers to interact with students;
- (4) Require schools to share information on ongoing or concluded investigations of infliction of harm to a student when requested by another institution;
- (5) Establish an appeal process for individuals who request removal from the Harm to Students Registry;
- (6) Require the Hawaii Teacher Standards Board to revoke the licenses of certain individuals who have resigned or retired in lieu of termination; and
- (7) Establish qualified immunity for employers who provide good faith information or opinion on a current or former employee's job performance.

Your Committees received testimony in support of this measure from the Department of Education, Executive Office on Early Learning, Hawai'i Teacher Standards Board, Hawaii Association of Independent Schools, Kamehameha Schools, Punahou School, and two individuals.

Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that Hawaii's keiki deserve to learn and grow in safe and secure educational environments. However, in recent years, there has been a growing number of individuals who have perpetuated harm against children and then sought subsequent

employment at another educational institution. The ease of securing employment despite ongoing or pending investigations into allegations of harm against children raises troubling concerns for keiki and school communities statewide. Therefore, this measure establishes an additional safeguard for all schools across the State to create safer learning environments while holding individuals who have committed egregious actions accountable.

Your Committees have amended this measure by:

- (1) Deleting a reference to chapter 350, Hawaii Revised Statutes, relating to child abuse under the purview of the Department of Human Services;
- (2) Prohibiting the inclusion of personally identifiable information of a student within information shared between educational institutions regarding the Harm to Students Registry;
- (3) Exempting any information or employment documents related to the Harm to Students Registry obtained from a non-governmental educational institution from the requirements of the Uniform Information Practices Act;
- (4) Clarifying that the Department of Education is required to complete an investigation of an employee, rather than an individual;
- (5) Requiring institutions to complete an investigation upon notification of an allegation of infliction of harm to a student;
- (6) Requiring public schools to inquire with the Department of Education to confirm whether a candidate for employment or prospective volunteer at the institution is listed on the Harm to Students Registry;
- (7) Applying definitions of terms defined in section 302A-1002, Hawaii Revised Statutes, to new language establishing the Harm to Students Registry in other sections of the Hawaii Revised Statutes;
- (8) Inserting language in chapter 302L, Hawaii Revised Statutes, to extend the provisions of this measure to early learning programs;
- (9) Clarifying that inclusion on the Harm to Students Registry for certain persons paid under the salary scheduled contained in bargaining unit (5) shall occur only after an investigation conducted results in a final finding that the person engaged in acts or omissions that resulted in the infliction of harm to a student;
- (10) Requiring any individual who retires or resigns from teaching before the completion of the investigation to surrender their Hawaii teaching license;
- (11) Requiring the Hawaii Teacher Standards Board to report a surrendered license to the National Association of State Directors of Teacher Education and Certification; 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 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. 2475, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2475, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chairs on behalf of the Committees.

Education: Ayes, 4. Noes, none. Excused, 1 (Richards).

Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Ihara).

SCRep. 2237 (Joint) Education and Labor and Technology on S.B. No. 3089

The purpose and intent of this measure is to require that licensed teachers have their license revoked by the Hawaii Teacher Standards Board if the teacher is resigning or retiring during the pendency of any investigation into allegations of sexual assault, sexual harassment, or other physical abuse of a student.

Your Committees received testimony in support of this measure from the Department of Education.

Your Committees received comments on this measure from the Hawai'i Teacher Standards Board.

Your Committees find that Hawaii's keiki have a right to safe and secure learning environments throughout their educational careers. However, certain individuals who perpetuate harm against children — including physical abuse, sexual assault, or sexual harassment — may still find employment in other jurisdictions despite allegations and accusations of misconduct. Additionally, certain instances of physical or sexual abuse may go undetected, as parents may be reluctant to have their children testify in public regarding a sexual or physical abuse incident, as the testimony may cause the child to relive the traumatic event. Educational institutions may also terminate the perpetrator's employment to avoid tarnishing reputations. Providing quality educational experiences to Hawaii's keiki is of paramount importance to the State. Therefore, this measure provides increased protection and healthy, safer learning environments for students.

Your Committees have amended this measure by:

- (1) Inserting language that requires an individual who retires or resigns from teaching before the completion of the investigation to surrender their Hawaii teaching license;
- (2) Inserting language that requires the Hawaii Teacher Standards Board to report a surrendered license to the National Association of State Directors of Teacher Education and Certification; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Education and Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3089, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3089, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Education: Ayes, 4. Noes, none. Excused, 1 (Richards).

Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Ihara).

SCRep. 2238 (Majority) Agriculture and Environment on S.B. No. 2106

The purpose and intent of this measure is to establish the Access to Local Value-Added Products Act to allow homemade food operations to sell homemade food products under certain circumstances.

Your Committee received testimony in support of this measure from the Department of Agriculture; Agribusiness Development Corporation; Hawaii Food Industry Association; Grassroot Institute of Hawaii; Institute for Justice; Hawai'i Farm Bureau; Waimea Succulents LLC; Lokoea Farms LLC; Makani Mills LLC; Hawaii Master Food Preservers, Inc.; Hawaii Tropical Fruit Growers; Chef Anon Shine Lovefuel Kitchen LLC; and eighteen individuals.

Your Committee received testimony in opposition to this measure from the Department of Health.

Your Committee finds that a cottage food or homemade food product industry in the State can increase food security and tax revenues. Your Committee recognizes that although there is great interest in small-scale value-added food production in the State, existing regulatory framework creates several challenges for entrepreneurs of certain homemade food products. According to testimony received by your Committee, this measure expands opportunities for producers and consumers of homemade food products without compromising food safety.

Your Committee acknowledges the concerns raised by the Department of Health, regarding the production of foods that require time or temperature control for safety to limit pathogenic microorganism growth or toxin formation.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that requires each homemade food operation to specify in its permit application its hours of operations and to agree to give the Department of Health the right of entry to inspect its home kitchen during the specified hours; and
- (2) Making 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. 2106, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2106, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 3; Ayes with Reservations (Richards). Noes, 1 (Rhoads). Excused, 1 (Awa).

SCRep. 2239 (Joint) Housing and Commerce and Consumer Protection on S.B. No. 2065

The purpose and intent of this measure is to:

- (1) Establish the Hawaii Residential Developers Loan Corporation and the Hawaii Residential Developers Loan Revolving Fund for the purpose of enhancing credit and 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) Authorize the Director of Finance to issue general obligation bonds to fund the Hawaii Residential Developers Loan Revolving Fund; and
- (3) Make an appropriation.

Your Committees received testimony in support of this measure from Church of the Crossroads and two individuals.

Your Committees received comments on this measure from the Department of Budget and Finance and the Hawaii Housing Finance and Development Corporation.

Your Committees find that the State is facing a housing crisis. The State's high costs and demand for housing have led many residents to leave the State in search of more affordable housing on the continent. This measure aims to combat this issue by establishing a mechanism by which loans made by private financial institutions to developers of certain housing projects are insured and guaranteed to help lower costs and expand the State's ability to create affordable housing.

Your Committees have heard the concerns raised in testimony regarding the requirement that revenue bonds demonstrate the capacity to be self-sustaining and have a designated repayment source. Additional testimony offered by the Hawaii Housing Finance and Development Corporation clarified that the corporation would be capable of administering this type of credit enhancement and loan guarantee program through general obligation bonds. 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 established the Hawaii Residential Developers Loan Corporation as a separate chapter in Hawaii Revised Statutes, and instead establishing a new subpart to Part III, chapter 201H, Hawaii Revised Statutes, authorizing the Hawaii Housing Finance and Development Corporation to perform the functions established under this measure;

- (2) Clarifying that the Hawaii Housing Finance and Development Corporation shall enhance credit and guarantee and insure loans made by private financial institutions to developers of residential housing for sale or rent to qualified residents as defined in section 201H-32, Hawaii Revised Statutes;
- (3) Deleting language that would have established the framework for the issuance of revenue bonds;
- (4) Inserting language specifying that the sum appropriated by this measure shall be expended by the Hawaii Housing Finance and Development Corporation; 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. 2065, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2065, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

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

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (Richards).

SCRep. 2240 Education on S.B. No. 3087

The purpose and intent of this measure is to expand access to early learning programs on other state properties and public lands besides Department of Education public school campuses.

Your Committee received testimony in support of this measure from the Department of Education, Executive Office on Early Learning, Office of Hawaiian Affairs, Department of Human Services, Early Learning Board, He'e Coalition, Hawai'i Children's Action Network Speaks!, Early Childhood Action Strategy, and CARES.

Your Committee finds that early childhood education is of paramount importance to provide Hawaii's youngest students with the opportunity to learn and grow. Presently, the Executive Office on Early Learning and Department of Human Services have a mandate to provide all three- and four-year-old children with accessible prekindergarten programs by 2032. While the State has made significant progress to ensure greater accessibility to prekindergarten programs, affordability remains a significant barrier for many families statewide. Therefore, this measure positions the State to pursue expansion of prekindergarten programs while providing affordable, high quality experiences to Hawaii's keiki.

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. 3087, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3087, 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 (Richards, Fevella).

SCRep. 2241 Education on S.B. No. 3328

The purpose and intent of this measure is to:

- (1) Clarify the Department of Education's authority to oversee public education facilities and real estate development;
- (2) Establish the Office of Facilities and Real Estate Development and the Office of School Operations and Services;
- (3) Repeal the School Facilities Authority;
- (4) Reorganize the Department of Education's organizational structure for facilities and real estate development;
- (5) Establish positions;
- (6) Make an appropriation; and
- (7) Repeal the Office of Facilities and Real Estate Development and Office of School Operations and Services on July 1, 2031.

Your Committee received testimony in support of this measure from the Board of Education and Department of Education.

Your Committee received comments on this measure from the Department of the Attorney General; Department of Budget and Finance; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the Department of Education oversees two hundred forty-eight schools statewide, including the oversight of hundreds of buildings and associated capital improvement projects, deferred and regular maintenance, and repairs. To assist the Department of Education in accomplishing this mandate, the Legislature enacted Act 72, Session Laws of Hawaii 2020, establishing the School Facilities Agency as the principal agency tasked with real estate development of public educational facilities. In 2021, the Legislature renamed the School Facilities Agency to the School Facilities Authority and clarified its powers and responsibilities through Act 217, Session Laws of Hawaii 2021, to include development, planning, and construction of public school capital improvement projects; acquisition of property; receipt of gifts and grants; and contracting or partnering with qualified parties.

Your Committee also finds that while the School Facilities Authority has only been in operation for nearly three years, the precise scope of the Authority's duties and responsibilities remains unclear. Progress by the School Facilities Authority has been notably slow, raising concerns about its effectiveness and efficiency. Additionally, there persists an ongoing issue of overlapping statutory

responsibilities between the Department of Education and the School Facilities Authority. According to the Board of Education's testimony, the Department of Education completed eleven classrooms for prekindergarten education for the first phase of the Ready Keiki Initiative, a mandate originally assigned to the School Facilities Authority. As the Department of Education has assumed many responsibilities statutorily established for the School Facilities Authority, reorganization of real estate operations at the Department is needed to provide clarity and streamline operations. Therefore, this measure is necessary to provide effective guidance and leadership in the accomplishment of the Department of Education's mandate to provide high quality public education to Hawaii's keiki.

Your Committee has amended this measure by:

- (1) Repealing members appointed by the Governor of the School Facilities Board from the list of persons required to submit financial disclosure statements to the State Ethics Commission;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3328, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3328, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2242 (Joint) Public Safety and Intergovernmental and Military Affairs and Commerce and Consumer Protection on S.B. No. 2843

The purpose and intent of this measure is to:

- (1) Clarify that the Governor's and mayors' emergency management powers shall be consistent with the Hawaii State Constitution and the scope of the comprehensive emergency management plan;
- (2) Clarify the powers of the Governor and mayors to extend or terminate a state of emergency; and
- (3) Shorten the duration of price control periods from ninety-six hours to seventy-two hours.

Your Committees received testimony in support of this measure from the Hawai'i Emergency Management Agency; Hawai'i Association of REALTORS; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Retail Merchants of Hawaii; and two individuals.

Your Committees received comments on this measure from the Grassroot Institute of Hawaii.

Your Committees find that the August 8, 2023 Maui wildfires starkly pointed out the necessity for the State to design a comprehensive emergency plan to ensure that the State prepares for, mitigates against, responds to, and recovers from emergencies and minor, major, and catastrophic disasters. According to testimony your Committees received, there is a need for quick and decisive action by leaders in times of emergency. This measure will clarify the roles of the Governor, Legislature, and local mayors in the event of an emergency.

Your Committees have amended this measure by:

- (1) Inserting language to allow the Legislature to terminate or extend a state of emergency; 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 Public Safety and Intergovernmental and Military Affairs 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. 2843, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2843, 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.
Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (Richards).

SCRep. 2243 (Joint) Public Safety and Intergovernmental and Military Affairs and Commerce and Consumer Protection on S.B. No. 2904

The purpose and intent of this measure is to:

- (1) Amend emergency management law to protect tenants, mortgagors, consumers, and residents for certain periods of time after the issuance of a gubernatorial or mayoral emergency proclamation; and
- (2) Classify violations as unfair methods of competition and unfair and deceptive acts or practices.

Your Committees received testimony in support of this measure from the Hawai'i Emergency Management Authority, Hawaii Association for Justice, Lahaina Strong, Hawaii Financial Services, and sixty-nine individuals.

Your Committees received testimony in opposition to this measure from the Hawaii Credit Union League and one individual.

Your Committees received comments on this measure from the Department of the Attorney General, Department of Commerce and Consumer Affairs' Office of Consumer Protection, Hawai'i Association of REALTORS, and Hawaii Bankers Association.

Your Committees find that Hawaii has the highest cost of living and the most unaffordable housing market in the United States. Your Committees further find that disasters, like the 2023 Maui wildfires, have shown the absence of legislative safety nets for renters, mortgagors, and tenants relating to housing. This measure will create protections that offer immediate relief to individuals, families, and small businesses struggling with rental payments and mortgages due to declared disasters.

Your Committees have amended this measure by:

- (1) Clarifying that the Governor and mayors may make certain declarations during an emergency;
- (2) Deleting language that would have made any violation of laws enacted to protect tenants, mortgagors, consumers, and residents for certain periods of time after the issuance of a gubernatorial or mayoral emergency proclamation; an unfair method of competition or an unfair or deceptive act or practice in trade and commerce; 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 Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2904, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2904, 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.

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (Richards).

SCRep. 2244 (Joint) Public Safety and Intergovernmental and Military Affairs and Commerce and Consumer Protection on S.B. No. 2908

The purpose and intent of this measure is to prohibit residential rent increases in affected areas for an unspecified period after a severe storm warning or issuance of an emergency proclamation.

Your Committees received testimony in support of this measure from the Hawai'i Emergency Management Agency, UNITE HERE Local 5, Lahaina Strong, Hawaii Financial Services, and sixty-six individuals.

Your Committees received comments on this measure from Hawai'i Association of REALTORS.

Your Committees find that emergencies, whether caused by severe storms or other unforeseen circumstances, can have devastating impacts on individuals and families, particularly regarding housing. Your Committees further finds that it is crucial to prioritize the welfare of Hawaii residents during severe storm warnings or emergency proclamations. This measure will provide renters and tenants with housing and rent stability during a state of emergency or local state of emergency.

Your Committees have amended this measure by inserting an effective date of January 1, 2042, 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 Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2908, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2908, 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.

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (Richards).

SCRep. 2245 (Joint) Public Safety and Intergovernmental and Military Affairs and Commerce and Consumer Protection on S.B. No. 2977

The purpose and intent of this measure is to:

- (1) Make it unlawful for an unlicensed contractor to offer or perform repairs or improvements to a residential or nonresidential structure or property, or add to or subtract from grounds in connection with the structure or property, for damage or destruction caused by a natural disaster for which a state of emergency or disaster is proclaimed by the Governor; and
- (2) Require violations to be punished by a fine of not more than \$10,000, imprisonment up to one year, or both, in addition to all other remedies or penalties.

Your Committees received testimony in support of this measure from the Office of Consumer Protection of the Department of Commerce and Consumer Affairs, Hawai'i Emergency Management Agency, Subcontractors Association of Hawaii, and one individual.

Your Committees received comments on this measure from the Contractors License Board.

Your Committees find that the August 2023 wildfires on Maui caused significant property loss, including the destruction of Lahaina town. Your Committees further find that work performed by unlicensed contractors unfairly exposes Hawaii property owners to liability for poor workmanship and jobsite injuries and increases the likelihood of unlicensed contractor fraud in which an unlicensed contractor obtains payment and provides no work or incomplete work. This measure will prevent further harms from occurring during the repairs and new construction in connection with the August 2023 Maui wildfires, or any future natural disasters.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs 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. 2977 and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (Richards).

SCRep. 2246 (Joint) Public Safety and Intergovernmental and Military Affairs and Commerce and Consumer Protection on S.B. No. 2983

The purpose and intent of this measure is to:

- (1) Regulate charitable fundraising platforms and activities of platform charities during declared federal disasters;
- (2) Include provisions relating to the misuse of funds;
- (3) Impose vicarious liability upon a platform charity for a charitable fundraising platform's misuse of funds, and vice versa; and
- (4) Exempt national disaster charitable organizations from its provisions.

Your Committees received testimony in support of this measure from the Department of the Attorney General, Hawai'i Emergency Management Agency, and one individual.

Your Committees received comments on this measure from the Hawai'i Alliance of Nonprofit Organizations.

Your Committees find that the Maui wildfires have sparked the United States Department of Justice to issue a warning of potential fraudulent activity around donations and contributions masquerading as Maui fire relief. According to testimony received by your Committees, the State needs to improve and expand enforcement of charitable fundraising activities, including regulating charitable fundraising on internet platforms. This measure will ensure the prevention of fraudulent and predatory charitable fundraising behavior.

Your Committees have amended this measure by:

- (1) Inserting an effective date of January 1, 2042, 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 Public Safety and Intergovernmental and Military Affairs 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. 2983, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2983, 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.

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (Richards).

SCRep. 2247 (Joint) Public Safety and Intergovernmental and Military Affairs and Water and Land on S.B. No. 2141

The purpose and intent of this measure is to:

- (1) Establish a Homeland Security and Resiliency Council to assess the resilience of the State's electric grid and other critical infrastructure to natural disasters and other emergencies and make recommendations;
- (2) Require the Council to report to the Legislature; and
- (3) Make an appropriation.

Your Committees received testimony in support of this measure from the Department of Law Enforcement and Hawai'i Gas.

Your Committees received comments on this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Hawaii State Energy Office, and Hawaiian Electric.

Your Committees find that the August 2023 Maui wildfire was the worst natural disaster in the history of Hawaii, and the worst wildfire in the United States within the last century. Your Committees find that as the effects of climate change become more pronounced and the rate of severe fires increases, it is imperative that the State have electrical grids that can withstand these extreme events. This measure will ensure the State's critical infrastructure is prepared to withstand disasters by establishing a council to provide recommendations for electric grid and other infrastructure resiliency.

Your Committees have amended this measure by:

- (1) Replacing the Director of Homeland Security with the Director of Law Enforcement as a member of the Homeland Security and Resiliency Council;
- (2) Adding the following members to the Homeland Security and Resiliency Council:
 - (A) The Executive Director of the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs;
 - (B) A representative from the Hawaii State Energy Office; and
 - (C) Representatives from each gas utility company operating in the State;
- (3) Amending section 1 to update legislative findings;
- (4) Inserting an effective date of January 1, 2042, 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 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. 2141, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2141, 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.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 2248 (Joint) Public Safety and Intergovernmental and Military Affairs and Water and Land on S.B. No. 2145

The purpose and intent of this measure is to require the counties to submit annual reports on fire code enforcement updates and fire mitigation planning to the Legislature.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committees received comments on this measure from the Hawaii State Fire Council and Honolulu Fire Department.

Your Committees find that the August 2023 Maui wildfires, identified as the worst natural disaster in Hawaii's history, caused significant loss of life, property damage, and environmental harm, underscoring the necessity for comprehensive and proactive measures at both the state and county level to address the threat of wildfires. Your Committees further find that it is essential to establish a framework for enhanced collaboration and accountability between the State and the counties to ensure that county zoning and development plans prioritize fire safety. This measure will foster resilient and fire-safe communities to ensure Hawaii's communities are prepared and adequately protected in future wildfire threats and events.

Your Committees have amended this measure by:

- (1) Deleting language that would have appropriated an unspecified amount for grant-in-aid to the counties for annual reports on county fire code enforcement efforts;
- (2) Inserting an effective date of January 1, 2042, 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. 2145, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2145, 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.

Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 2249 (Joint/Majority) Public Safety and Intergovernmental and Military Affairs and Water and Land on S.B. No. 2331

The purpose and intent of this measure is to clarify that the Governor may waive historic preservation requirements in an emergency proclamation only when there is an imminent or presently occurring emergency which threatens health and safety.

Your Committees received testimony in support of this measure from the Historic Hawai'i Foundation, Society for Hawaiian Archaeology, and four individuals.

Your Committees received testimony in opposition to this measure from two individuals.

Your Committees received comments on this measure from the Office of the Governor, Department of Land and Natural Resources, and Office of Hawaiian Affairs.

Your Committees find that existing historic preservation requirements provide for a robust review process to ensure protection of the State's historic identity. However, certain emergency instances such as natural disasters or other urgent and acute threats may require immediate action. As historic preservation and environmental protections are important objectives of the State, this measure will waive historic preservation requirements when action is required to protect lives and property.

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. 2331 and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 2250 (Joint) Public Safety and Intergovernmental and Military Affairs and Water and Land on S.B. No. 3064

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' Firefighter's Contingency Fund.

Your Committees received testimony in support of this measure from the Department of Budget and Finance, Department of Land and Natural Resources, and Hawai'i Emergency Management Agency.

Your Committees find that Act 164, Session Laws of Hawaii 2023, did not contain provisions to provide the Governor with the authority to transfer funds for operating purposes, natural disaster, or the Firefighter's Contingency Fund. It is imperative that the Governor has the ability to respond rapidly to a natural disaster to support continued emergency operations. This measure will ensure community safety, public interest, and effective management by granting power to the Governor to transfer funds in times of emergency.

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. 3064 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, 5. Noes, none. Excused, none.

SCRep. 2251 (Joint) Water and Land and Public Safety and Intergovernmental and Military Affairs on S.B. No. 2143

The purpose and intent of this measure is to make an appropriation for the Wildfire Management Branch of the Department of Land and Natural Resources Division of Forestry and Wildlife to support nonprofit organizations that specialize in wildfire preparedness and mitigation programming through grant disbursements.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Honolulu Fire Department, County of Maui Department of Fire and Public Safety, The Nature Conservancy, and one individual.

Your Committees find that although wildfires pose serious and far-reaching threats in the State, the Wildfire Management Branch of the Department of Land and Natural Resources Division of Forestry and Wildlife is severely underfunded and understaffed. Consequently, the Wildfire Management Branch funds and works with the nonprofit, Hawaii Wildfire Management Organization, to provide programming for the State's wildfire preparedness needs. However, wildfire prevention nonprofits cannot rely on funding annually from the Wildfire Management Branch or from federal grants. This measure will bolster the State's wildfire preparedness by securing funds for the Wildfire Management Branch of the Department of Land and Natural Resources Division of Forestry and Wildlife.

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. 2143 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, 5. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 2252 (Joint) Water and Land and Public Safety and Intergovernmental and Military Affairs on S.B. No. 3327

The purpose and intent of this measure is to:

- (1) Define public trust purposes of the Commission on Water Resource Management;
- (2) Amend the scope of the Commission on Water Resource Management to include declaration of emergencies;
- (3) Repeal the position of First Deputy to the Chairperson of the Commission on Water Resource Management and establish the Executive Director of the Commission on Water Resource Management;
- (4) Amend the composition of the Commission on Water Resource Management;
- (5) Authorize entities to challenge an emergency order of the Commission on Water Resource Management under certain conditions;
- (6) Establish fines for certain water use offenses; and
- (7) Appropriate funds.

Your Committees received testimony in support of this measure from Lāhainā Strong; Sierra Club of Hawai'i; La'i Hauola; Protect Kaho'olawe 'Ohana; Operating Engineers Local Union No. 3; Native Hawaiian Legal Corporation; Hui o Kuapa; Nā Alaka'i o Ahahui o Hawai'i; Hui o Nā Wai 'Ehā; Council for Native Hawaiian Advancement; Hawai'i Alliance for Progressive Action; Nā Kia'i Kai; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Ko'olau Foundation; Kupuna for the Mo'opuna; and one hundred twenty-five individuals.

Your Committees received testimony in opposition to this measure from the Department of the Attorney General, Honolulu Board of Water Supply, and Restore the Commons.

Your Committees received comments on this measure from the Department of Land and Natural Resources, Hawai'i County Department of Water Supply, Kaua'i County Department of Water, and one individual.

Your Committees find that effective and efficient water resource management requires continuous and experienced leadership, especially given the climate crisis and urgent need to properly steward water resources to meet the affordable housing needs of local residents. On December 28, 1994, the review commission on the State Water Code submitted its final report pursuant to Act 45, Session Laws of Hawaii 1987, and determined that amendments to the State Water Code were necessary to enable the Commission on Water Resource Management to more effectively carry out its mandate pursuant to article XI, section 7, of the Hawaii State Constitution. This measure will clarify the purpose of the Commission on Water Resource Management and modify its leadership structure and composition of its board, which will provide greater accountability and protection of the State's waters.

Your Committees have amended this measure by:

- (1) Amending the definition of “public trust purpose” to reference articles XI and XII of the Hawaii State Constitution rather than the Hawaii Supreme Court;
- (2) Deleting language that would have allowed the Commission on Water Resource Management to declare an emergency and issue orders reciting the existence of an emergency;
- (3) Restoring the repeal of subsection 174C-62(g), Hawaii Revised Statutes, which allows the Commission on Water Resource Management to issue orders reciting the existence of an emergency;
- (4) Deleting language that would have appropriated funds for the Department of Land and Natural Resources to hire independent legal counsel;
- (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 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. 3327, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3327, 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. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 2253 (Majority Water and Land on S.B. No. 3157)

The purpose and intent of this measure is to expand the disposition of public land leases through direct negotiation to include agricultural, commercial, industrial, resort, and hotel purposes.

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 the League of Women Voters of Hawaii, UNITE HERE! Local 5, and two individuals.

Your Committee received comments on this measure from one member of the Hawai‘i County Council.

Your Committee finds that the public auction process normally used to dispose of public land leases is too protracted, cumbersome, and uncertain to the extent that it has deterred participation by potential lessees. Expediting the leasing process may make properties more attractive to prospective lessees and create a long-term revenue stream. This measure will facilitate the productive use of lands for agricultural, commercial, industrial, hotel, and resort purposes to create economic development and growth, additional jobs, and increased public and private revenues.

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. 3157, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3157, 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). Noes, 1 (Fevella). Excused, none.

SCRep. 2254 Water and Land on S.B. No. 2151

The purpose and intent of this measure is to:

- (1) Require the Department of Land and Natural Resources to obtain approval from the Board of Land and Natural Resources before taking action on a revocable permit; and
- (2) Prohibit any action that would result in tenant eviction from being taken on a renewed revocable permit before the year of renewal or during the renewed year.

Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources.

Your Committee finds that the Department of Land and Natural Resources’ revocable permit program grants business entities permission to occupy and utilize Department lands on a short-term basis. However, the request and renewal process is unclear to current and prospective entities as existing law lacks specific guidance, which may contribute to tenant eviction. This measure will provide a safeguard for tenants by limiting the discretion of the Department of Land and Natural Resources by placing restrictions on when and how the Department may evict a tenant.

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. 2151, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2151, 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. 2255 Water and Land on S.B. No. 2152

The purpose and intent of this measure is to limit the discretion of the Land Division of the Department of Land and Natural Resources by requiring the Board of Land and Natural Resources to approve all decisions to revoke, limit, condemn, remove, or modify the Department of Land and Natural Resources' leases and revocable permits.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the Land Division of the Department of Land and Natural Resources has significant discretion in revoking, limiting, removing, or modifying leases granted by the Department of Land and Natural Resources, issuing condemnations, and rescinding revocable permits without prior approval from the Board of Land and Natural Resources. Enhanced review of public land leases and revocable permits would allow the State to ensure that the use of public lands best benefits people in the State. This measure will ensure a more thorough review of public leases and revocable permits to benefit Hawaii's residents.

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. 2152, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2152, 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. 2256 (Majority) Water and Land on S.B. No. 2204

The purpose and intent of this measure is to authorize a county to initiate a land use boundary amendment to implement the county's general plan.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, City and County of Honolulu Department of Planning and Permitting, Mayor of the County of Hawai'i, County of Hawai'i Planning Department, Mayor of County of Kaua'i, one member of the Hawai'i County Council, one member of the Maui County Council, Hawai'i Association of Realtors, and two individuals.

Your Committee received testimony in opposition to this measure from the Conservation Council for Hawai'i, Sierra Club of Hawai'i, Free Access Coalition, Kupuna for the Mo'opuna, Life of the Land, and thirty-eight individuals.

Your Committee received comments on this measure from the Office of Planning and Sustainable Development, Land Use Commission, and one individual.

Your Committee finds that the current state-level process for reclassifying lands according to county general plans has become time consuming and costly. This measure will allow the counties to take the lead in aligning state land use classification with their general plans, which would streamline the process and enhance government efficiency.

Your Committee has amended this measure by:

- (1) Clarifying that technical archaeological, cultural, and biological survey studies shall be required for land reclassifications from agricultural or conservation to urban;
- (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. 2204, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2204, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2257 (Majority) Water and Land on S.B. No. 2129

The purpose and intent of this measure is to:

- (1) Expand the definition of "historic property" for purposes of the Historic Preservation Program; and
- (2) Exempt state projects on state-owned buildings from State Historic Preservation Division review unless the affected property is more than one hundred years old or on, or being added to, the Hawaii Register of Historic Places or the National Register of Historic Places.

Your Committee received testimony in support of this measure from the Ko'olau Foundation and Building Industry Association of Hawaii.

Your Committee received testimony in opposition to this measure from the Historic Hawai'i Foundation and Society for Hawaiian Archaeology.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that state projects on state-owned buildings require review from the State Historic Preservation Division, which often slows the project. However, your Committee also finds that exempting state projects on state-owned buildings from review will diminish the State's leadership in the field of historic preservation. This measure will ensure that the State remains a leader in the field of historic preservation by setting an example in how it manages its own historic properties.

Accordingly, your Committee has amended this measure by:

- (1) Removing language that would have exempted projects on state-owned buildings from State Historic Preservation Division review unless the affected property is more than one hundred years old or on or being added to the Hawaii register of historic places or the national register of historic places;
- (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. 2129, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2129, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 2258 Water and Land on S.B. No. 2300

The purpose and intent of this measure is to extend the Historic Preservation Income Tax Credit through 2030 and incrementally increase the ceiling on total credits from \$1,500,000 to \$4,000,000 during this period.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Historic Hawai'i Foundation.

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 Historic Preservation Income Tax Credit sunsets in 2025, which will diminish the ability of property owners, especially those from lower income tax brackets, to rehabilitate and remain in historic single-family residences. This will come as a great economic loss for those homeowners who wish to assist with the rehabilitation and continued use of historic buildings in the State which are central to the preservation of Hawaiian history and culture. This measure will preserve historic properties and buildings in the State and provide homeowners with financial flexibility.

Your Committee has amended this measure by:

- (1) Clarifying that the present Historic Preservation Income Tax Credit is to be replaced on December 31, 2024;
- (2) Repealing language that provides that the cost upon which the Historic Preservation Income Tax Credit is computed shall be determined at the entity level and the distribution and share of the tax credit shall be determined pursuant to section 704(b) of the Internal Revenue Code;
- (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. 2300, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2300, 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. 2259 (Joint) Water and Land and Agriculture and Environment on S.B. No. 2184

The purpose and intent of this measure is to expand the authority of the State and counties to develop adaptation pathways plans to modify and relocate infrastructure away from critically threatened areas to locations outside sea level rise and coastal flooding exposure areas.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development, Hawai'i Climate Change Mitigation Adaptation Commission, University of Hawai'i Sea Grant College Program and Climate Resilience Collaborative, Surfrider Foundation, and two individuals.

Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that rising sea level threatens built environments and numerous economic sectors across the State. It is essential to support and safeguard vulnerable communities and to protect and conserve invaluable public trust resources, including

sandy beaches and dune systems, which are valuable for their cultural importance and ecosystem role, from the impacts of sea level rise. This measure will enable and encourage state and county agencies to engage in and implement long-term adaptation pathway planning, together with affected communities, to facilitate natural-resource conservation and reduce the loss of public and private infrastructure to damage associated with sea level rise and flooding.

Your Committees have amended this measure by:

- (1) Clarifying that the definition of “adaptation pathways plan” includes areas with environmental triggers or infrastructure damage triggers;
- (2) Specifying that the adaptation pathways may include restoration or remediation of the shoreline after removal of structures and materials;
- (3) Specifying that regional scale adaptation pathway plans facilitate adaptation of vulnerable private residential, commercial, industrial, and resort development and the restoration or remediation of the shoreline where necessary;
- (4) Clarifying that the adaptation pathways plan may include modifications shown to have minimal impact on coastal and cultural resources, and include a proposed timeline and environmental triggers for the remediation or restoration of the land;
- (5) Clarifying that adaptation actions and triggers for actions that are appropriate to the individual location, include relocation of private development;
- (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 Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2184, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2184, 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, 4. Noes, none. Excused, 1 (Richards).

SCRep. 2260 (Joint) Water and Land and Agriculture and Environment on S.B. No. 2960

The purpose and intent of this measure is to:

- (1) Require lessees and purchasers of farm lots and ranch lots use that land for farming and producing food; and
- (2) Authorize agricultural cooperatives to apply for farmlands.

Your Committees received testimony in support of this measure from the Hawaii Cattlemen’s Council, Inc.; Hawai‘i Farm Bureau; 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 and one individual.

Your Committees find that nonfarming use of agricultural lands has sharply increased over the last few decades as wealthy individuals often purchase large parcels of land and pursue farming as a hobby, rather than as a livelihood. With land being a limited resource in Hawaii, any parcel that is suitable for agricultural activities should be utilized for that purpose. This measure will require that agricultural lots be used for agricultural activities only and allow for more opportunity for farmers to farm.

Your Committees have amended this measure by:

- (1) Clarifying that a person is a bona fide farmer if they meet certain criteria; 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. 2960, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2960, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Richards).

SCRep. 2261 (Joint) Water and Land and Agriculture and Environment on S.B. No. 3300

The purpose and intent of this measure is to require county planning commissions, county councils, and designated authorities on coastal zone management to seek to minimize, where reasonable, any risk to development from sea level rise and other coastal hazards.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development, Hawaii Climate Change Mitigation and Adaptation Commission, University of Hawai‘i Sea Grant College Program and Climate Resilience Collaboration, Democratic Party of Hawai‘i, and three individuals.

Your Committees find that rising sea levels pose a serious and imminent threat to Hawaii’s coastal communities and residents and to the State’s natural resources; primarily, beaches and coastal systems. The State has an affirmative duty to preserve coastal resources as

a public trust resource for the people of Hawaii, as healthy coastal ecosystems and beaches are both culturally important and provide natural resilience to sea level rise and associated coastal flooding. This measure will increase the resilience of Hawaii's coastal communities to sea level rise by minimizing, where reasonable, risk to development from sea level rise and other coastal hazards.

Your Committees have amended this measure by:

- (1) Clarifying that the Authority shall seek to minimize, where reasonable, any development that would be under risk of sea level rise and other coastal hazards by locating development outside of the sea level rise exposure area or adapting development to accommodate sea level rise and other coastal hazards; provided that the sea level rise exposure area shall be as adopted by the Hawaii Climate Change Mitigation and Adaptation Commission or its successor; 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. 3300, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3300, 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, 4. Noes, none. Excused, 1 (Richards).

SCRep. 2262 (Majority) Judiciary on S.B. No. 2627

The purpose and intent of this measure is to require:

- (1) 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;
- (2) The names of candidates to be placed upon the ballot for their perspective offices in a randomized order, to the greatest extent possible; and
- (3) 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.

Your Committee received testimony in opposition to this measure from forty-eight individuals.

Your Committee received comments on this measure from the Office of Elections.

Your Committee finds that currently, on ballots in the State, candidates for a specific office are listed in alphabetical order starting with the letter "A", and the ballots are identical across precincts for that office. However, numerous publicly available studies show that the election candidate who is listed first on a ballot has an advantage over the other candidates listed. Your Committee further finds that several states, such as California and Ohio, arrange the candidates' names randomly across ballots so that each possible permutation appears an equal number of times. This measure will allow candidates to be represented fairly and equally on ballots in the State.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2627 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, 2 (Elefante, Awa). Excused, none.

SCRep. 2263 Labor and Technology on S.B. No. 3371

The purpose and intent of this measure is to:

- (1) Require the Department of Human Resources Development to:
 - (A) Submit an annual report to the Legislature on the telework policies of the Executive Branch; and
 - (B) Purchase and implement a pilot telework monitoring system to assess the productivity of telework employees and in-office employees within up to three state departments or portions of the departments; and
- (2) Appropriate funds to develop, implement, and administer the pilot telework monitoring system and to establish positions to perform various duties relating to telework, including the development and implementation of the pilot telework monitoring system, preparation of the annual report, and employee training.

Your Committee received testimony in support of this measure from the Department of Human Resources Development.

Your Committee received testimony in opposition to this measure from the Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO.

Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that telework and alternative work schedules are innovative solutions that ensure workplace flexibility with many benefits for the employees, employers, and the public, including a better work-life balance, increased productivity, and possible cost-savings from reduced energy and office space use. Workplace flexibility can also be utilized as a tool to help employers recruit and retain the best and brightest employees. This measure will allow the Legislature to make informed decisions pertaining to the adoption and administration of telework in the public sector.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount for the development, implementation, and administration of the pilot telework monitoring system from \$3,000,000 to an unspecified amount;
- (2) Inserting an unspecified appropriation amount;
- (3) Inserting an unspecified number of positions to be established;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that although this measure, as amended, contains unspecified appropriation amounts and positions to be established, your Committee respectfully requests that your Committee on Ways and Means consider inserting the following appropriation amounts for fiscal year 2024-2025:

- (1) \$3,000,000 to develop, implement, and administer the pilot telework monitoring system; and
- (2) \$180,000 to establish two full-time equivalent (2.0 FTE) positions to perform various duties relating to telework, including the development and implementation of the pilot telework monitoring system, preparation of the annual report, and employee training.

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. 3371, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3371, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2264 Labor and Technology on S.B. No. 2352

The purpose and intent of this measure is to repeal existing law that requires the Director of Human Resources Development to submit a report to the Legislature before reclassifying or abolishing vacant positions within state departments and agencies that are under its jurisdiction.

Your Committee received testimony in support of this measure from the Department of Human Resources Development.

Your Committee finds that there is currently a requirement within chapter 26-5, Hawaii Revised Statutes, for the Director of Human Resources Development to submit a report to the Legislature before reclassifying and abolishing vacant positions within state departments and agencies that are under the jurisdiction. Your Committee also finds that there are measures that have been introduced for legislative deliberation this regular session that require the Department of Human Resources Development or its Director to submit a more detailed report pertaining to vacancies, compared to what is required under existing law. This measure addresses the redundancy of having two annual reports covering the same issues.

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. 2352, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2352, 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. 2265 Labor and Technology on S.B. No. 2719

The purpose and intent of this measure is to appropriate funds to establish an unspecified number of positions within the Employee Classification and Compensation Division of the Department of Human Resources Development to perform employee classification duties.

Your Committee received testimony in support of this measure from the Department of Human Resources Development.

Your Committee finds that the Department of Human Resources Development is responsible for conducting job analyses and updating job descriptions for over one thousand four hundred existing civil service classes of work. Your Committee further finds, however, that the Department currently lacks sufficient personnel to perform these employee classification duties. This measure will enable the Department of Human Resources Development to perform these duties in a timely and efficient manner.

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. 2719, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2719, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2266 Labor and Technology on S.B. No. 2553

The purpose and intent of this measure is to clarify the definition of “covered employer” in the Hawaii Retirement Savings Act and require covered employees to automatically enroll covered employees into the Hawaii Retirement Savings Program unless the employee chooses to opt out.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, AARP Hawai'i, Hawai'i Primary Care Association, Hawai'i Family Caregiver Coalition, and five individuals.

Your Committee received comments on this measure from the Retail Merchants of Hawaii.

Your Committee finds that there is an urgent need to provide a viable retirement savings plan to private sector employees who do not have access to employer-sponsored retirement plans. Your Committee also finds that automatic enrollment for workers into a retirement savings account; considered a “best practice” in the retirement savings industry, and all other states that have enacted a retirement savings program for private sector workers include the automatic enrollment provision where the employees can opt out. This measure will increase participation of private sector employees in retirement savings plans, while keeping enrollment voluntary through the opt-out provision, and bring retirement savings provisions in line with other states.

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 S.B. No. 2553, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2553, 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. 2267 Labor and Technology on S.B. No. 2449

The purpose and intent of this measure is to:

- (1) Require employers to initiate negotiations on repricing of classes within a bargaining unit within thirty days of its receipt of the exclusive representative's written request to negotiate; and
- (2) Establish that the employer's failure to initiate the negotiation within this 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 the year in which the collective bargaining agreement is due to expire, whichever is earlier, constitute an impasse subject to the statutory impasse procedures.

Your Committee received testimony in support of this measure from the United Public Workers, AFSCME Local 646, AFL-CIO, and Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO.

Your Committee received testimony in opposition to this measure from the Department of Human Resources Development, Department of Corrections and Rehabilitation, and Maui County Department of Personnel Services.

Your Committee received comments on this measure from the Department of Budget and Finance, County of Kauai Department of Human Resources, and City and County of Honolulu Department of Human Resources.

Your Committee finds that public employees in the State are experiencing significant difficulties in hiring and retaining employees. Your Committee further finds that in the past twenty years since civil service reform, public employees have sought to reprice their classifications with very limited success. Employers can deny pricing requests and claim that upon their review, they have determined that all current position pricing is appropriate without providing the basis of their determination. This measure will ensure that public employees are being paid competitive and fair wages, thereby enabling the public sector to recruit and retain more employees.

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. 2449, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2449, 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 (Moriwaki). Noes, none. Excused, none.

SCRep. 2268 Labor and Technology on S.B. No. 2890

The purpose and intent of this measure is to:

- (1) Require the Office of Enterprise Technology Services to develop or license cloud-based software for use by each state department or agency to track the status of its capital improvement projects;
- (2) Require the Office of Enterprise Technology Services to provide training for the software; and
- (3) Require each department or agency to use the software to track the status of its capital improvement projects.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations Office of Community Services and the Office of Enterprise Technology Services.

Your Committee finds that currently there is no official statewide or standardized method for the State to track the status of its capital improvement project spending or progress. A tracking system of this nature would prove invaluable for a department or agency to track its capital improvement projects, especially if the agency has many projects ongoing simultaneously. This measure creates such a tracking system to be dispersed among State agencies and departments to ease the burden of manually tracking these expenditures.

Your Committee has amended this measure by:

- (1) Changing the administrative agency for the measure from the Office of Enterprise Technology to the Department of Accounting and General Services;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2890, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2890, 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. 2269 Labor and Technology on S.B. No. 2715

The purpose and intent of this measure is to make it unlawful for an employer to discharge, discipline, or otherwise penalize or threaten any adverse employment action against an employee because the employee declines to attend or participate in an employer-sponsored meeting that communicates the opinion of the employer about political matters, or declines to receive or listen to a communication from the employer that communicates the opinion of the employer about political matters.

Your Committee received testimony in support of this measure from the Hawaii State AFL-CIO, ILWU Local 142, IATSE Local 665, and seventy-two individuals.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that there is currently little to no legal protection for employees against “captive audience meetings” or meetings where employee attendance is mandatory or de facto mandatory as they may face repercussion for refusing to attend. Your Committee further finds that participation meetings to spread political views that have little to no relevance to the employee’s work duties or the workplace should be voluntary and there should be no penalty imposed should an employee decide not to attend. This measure protects workers from being penalized for refusing to attend such meetings.

Your Committee has amended this measure by:

- (1) Clarifying that the protection provided applies to all employees, including those who are not covered in the definition of “employee” under section 377-1, 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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2715, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2715, 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 (Ihara, Fevella).

SCRep. 2270 Labor and Technology on S.B. No. 2673

The purpose and intent of this measure is to require that the authorized benefit for chiropractic treatments allowed under personal injury protection benefits provided through motor vehicle insurance be tied to the charges, and any subsequent increases in charges, permissible under the workers’ compensation supplemental medical fee schedule.

Your Committee received testimony in support of this measure from the Hawaii State Chiropractic Association, Turning Point Chiropractic, Chiro Management Group LLC, Tanaka and Associates Chiropractic & Massage, Aloha Family Chiropractic, Hawaii Chiropractic Clinic, Klein Natural Health and Wellness Center, and thirteen individuals.

Your Committee received testimony in opposition to this measure from American Property Casualty Insurance Association.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs’ Insurance Division, and Hawaii Insurers Council.

Your Committee finds that the existing motor vehicle insurance law limits the authorized personal injury protection benefit for chiropractic treatments to the lesser of thirty visits at no more than \$75 per visit or the treatments as defined by the Hawaii State Chiropractic Association guidelines. Your Committee further finds that the authorized benefits for acupuncture treatments were changed in 1997 to be tied to the charges, and any subsequent increases in charges, permissible under the workers’ compensation supplemental medical fee schedule. This measure aligns the authorized benefit for chiropractic care with that for acupuncture treatments and ensures equitable, fair, and accessible chiropractic care for individuals recovering from automobile accidents.

Your Committee notes the concerns raised in testimony regarding the impact of this measure may have on insurance premiums, as the existing limits on authorized benefits were enacted in 1997 to reduce insurance premiums. Removing this limit and pairing the authorized benefit with the worker's compensation supplemental medical fee schedule could cause the cost of treatments to raise dramatically, thereby increasing insurance rates. Your Committee finds that this issue merits further consideration and respectfully requests further examination by subsequent Committees as this measure progresses through the legislative process.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2673, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2673, 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, none. Excused, 2 (Ihara, Fevella).

SCRep. 2271 Labor and Technology on S.B. No. 3299

The purpose and intent of this measure is to:

- (1) Allow the public employer and exclusive representative to negotiate benefits of the Hawaii Employer-Union Health Benefits Trust Fund (EUTF); and
- (2) Allow the exclusive representative to fully utilize dispute resolution and impasse provisions under state law when negotiating the benefits and contributions to the EUTF.

Your Committee received testimony in support of this measure from the United Public Workers, AFSCME Local 646, AFL-CIO; and Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO.

Your Committee received testimony in opposition to this measure from the Department of Budget and Finance.

Your Committee finds that the existing law does not have a dispute resolution mechanism to address the employee – employer share of monthly contributions to Medical premiums for EUTF plans. Your Committee finds that public employees who participate in EUTF plans pay on average forty percent of their total medical premiums, which can be as high as \$1,500 a month for family coverage. This can be detrimental to employees with lower salaries, who would benefit from the ability to negotiate these rates. This measure therefore allows public employees the ability to arbitrate and negotiate health care benefits with their employers, an ability not currently granted in Chapter 89, 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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3299, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3299, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2272 Labor and Technology on S.B. No. 2718

The purpose and intent of this measure is to allow the Hawaii Labor Relations Board to admit and consider hearsay evidence.

Your Committee received testimony in support of this measure from the Hawai'i Labor Relations Board and Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that under existing law, the Hawaii Labor Relations Board is prohibited from considering hearsay evidence. Therefore, it is precluded from considering all evidence presented in its deliberations and assigning the evidence the proper weight, which conflicts with the general principles that proceeding before administrative boards are more flexible and should not be strictly bound by the rules of evidence applicable to judicial proceedings. This measure allows the Hawaii Labor Relations Board to admit and consider hearsay evidence putting it in line with proceedings before other administrative boards and commissions.

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. 2718, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2718, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2273 Labor and Technology on S.B. No. 2286

The purpose and intent of this measure is to:

- (1) Permit and appropriate moneys for the Department of Labor and Industrial Relations to enter into contracts with eligible employers or registered apprenticeship programs in the private sector to provide on-the-job training to eligible interns;
- (2) Require the State to be the responsible employer for purposes of workers' compensation coverage when a student or recent graduate performs paid or unpaid work for a private or public employer as part of a school-approved, work-based learning program; and
- (3) Specify that workers' compensation coverage for a recent graduate shall lapse on July 31 of the graduating year.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, University of Hawai'i System, Hawaii Food Industry Association, Kohala Coast Resort Association, Hawai'i Primary Care Association, HawaiiKidsCAN, Hawai'i Lodging Tourism Association, Hawai'i Farm Bureau, and Chamber of Commerce Hawaii.

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

Your Committee finds that internships help students build their self confidence while acclimating to workplace culture and developing invaluable industry based skills. Your Committee further finds that the State is seeing a labor shortage in key markets including health care and the food industry, among others. This measure helps provide students and recent graduates with hands-on training making them more competitive in the workforce, growing job opportunities within the State, and by extension, growing the economy as well.

Your Committee notes the testimony of the Department of Education, requesting that public high school students who are at least sixteen years of age be allowed to participate in the on-the-job training work experience program, as internships are an integral part of the Department's educational program.

Accordingly, your Committee has amended this measure by:

- (1) Amending the eligibility criteria for the on-the-job training work experience program to include public high school students who are sixteen years of age or older;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2286, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2286, 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. 2274 Labor and Technology on S.B. No. 2782

The purpose and intent of this measure is to address language barriers and ensure equitable access to information and assistance for all residents, especially those with limited English proficiency by requiring the Office of Enterprise Technology to develop multilingual accessibility standards in consultation with the Office of Language and Access.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services, Hawaii Friends of Civil Rights, Hawai'i Children's Action Network Speaks!, Pacific Gateway Center, Hawai'i Alliance for Progressive Action, Hawai'i Coalition for Immigrant Rights, Roots Reborn, Hawai'i Worker's Center, and five individuals.

Your Committee received comments on this measure from the Department of Human Services and Office of Language Access.

Your Committee finds that Hawaii is one of the most culturally diverse states and has one of the highest proportions of non-English speaking individuals in the nation. Your Committee further finds that according to the 2018-2022 American Community Survey, close to twenty-six percent of Hawaii's residents, (or approximately 350,000 individuals) speak a language other than English at home, of which 150,000 indicated that they speak English "less than very well". Your Committee further finds that lack of English proficiency can have a significant impact on a person's economic situation, social activities, and their access to health and wellness services. Your Committee also finds that the Lahaina community on the island of Maui, with approximately thirty-six percent of its residents five years and older speaking a language other than English at home, faced significant challenges in receiving timely and accurate information and assistance during the August 2023 wildfires due to a language barrier. This measure will allow more Hawaii residents to access education and employment opportunities, and important public assistance, benefits, programs, and services.

Your Committee notes that although this measure contains an unspecified appropriation amount and unspecified number of positions to be established, the Office of Enterprise Technology Services' testimony requests an appropriation of \$100,000 to establish one full-time equivalent (1.0 FTE) program manager position for the purposes of this measure. Therefore, your Committee respectfully requests that your Committee on Ways and Means consider inserting these numbers for fiscal year 2024-2025.

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. 2782, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2782, 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. 2275 Labor and Technology on S.B. No. 3152

The purpose and intent of this measure is to repeal the categorical exclusion of employees who receive guaranteed compensation totaling \$2,000 or more a month from the protections of Hawaii's Wage and Hour Law.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Hawai'i Children's Action Network Speaks!, Democratic Party of Hawai'i Education Caucus, Hawai'i Workers Center, and one individual.

Your Committee finds that under the existing Hawaii Wage and Hour Law, the definition of "employee" excludes individuals who are employed at a guaranteed compensation totaling \$2,000 or more a month. These employees are not provided the protection of minimum or overtime wage rates, and their employers are not required to comply with the law's recordkeeping provisions, also designed to protect workers. Your Committee further finds that while minimum wage continues to be changed and adjusted, the guaranteed compensation exemption has not been correspondingly changed. The last time the guaranteed compensation level was changed was in 2002, whilst minimum wage has been adjusted nine times since, and as of today, a monthly compensation of \$2,100 is lower than the monthly wage of an employee earning the minimum wage of \$14.00 per hour. This measure will allow more employees to be eligible for minimum wage, overtime compensation, and recordkeeping requirements regardless of their guaranteed monthly compensation.

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. 3152, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3152, 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 (Lee, Fevella).

SCRep. 2276 Labor and Technology on S.B. No. 2787

The purpose and intent of this measure is to establish the Immigration Services and Access Unit within the Department of Labor and Industrial Relations' Office of Community Services to support programs for Hawaii's immigrants and refugees.

Your Committee received testimony in support of this measure from the Department of Human Services, Office of Language Access, Office of Community Services, Hawai'i Children's Action Network Speaks!, Hawai'i Alliance for Progressive Action, Hawai'i Coalition for Immigrant Rights, Hawai'i Friends of Civil Rights, FilCom CARES, Hawai'i Workers Center, and three individuals.

Your Committee finds that immigrants comprise two hundred seventy thousand persons, or eighteen percent, of Hawaii's population, including 145,000 persons who are naturalized citizens. Your Committee also finds that immigrants are vital to the fabric of our communities and essential for the continued growth and success of the State's economy. Despite their contributions, immigrants often face numerous obstacles, including language barriers, legal issues related to their immigration status, and challenges with acculturation and integration. This measure will provide immigrants with the necessary comprehensive support services and resources to address these needs and promote immigrant economic self-sufficiency, community inclusion, and integration.

Your Committee notes that although this measure contains an unspecified appropriation amount and number of positions to be established, the Office of Community Services' testimony requests an appropriation of \$520,000 to establish three full-time equivalent (3.0 FTE) positions for the purposes of this measure. Therefore, your Committee respectfully requests that your Committee on Ways and Means consider inserting these numbers for fiscal year 2024-2025.

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 S.B. No. 2787, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2787, 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 (Lee, Fevella).

SCRep. 2277 Labor and Technology on S.B. No. 3062

The purpose and intent of this measure is to make emergency appropriations for fiscal biennium 2023-2025 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining units (1) and (10), and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; Hawaii Health Systems Corporation; and United Public Workers AFSCME Local 646, AFL-CIO.

Your Committee finds that the negotiations for collective bargaining agreements for bargaining units (1) and (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 2024 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 S.B. No. 3062 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 (Lee, Fevella).

SCRep. 2278 Labor and Technology on S.B. No. 3063

The purpose and intent of this measure is to make emergency appropriations for fiscal biennium 2023-2025 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining units (2), (3), (4), (9), (13), and (14), and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; Hawaii Health Systems Corporation; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the negotiations for collective bargaining agreements for bargaining units (2), (3), (4), (9), (13), and (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 2024 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 S.B. No. 3063 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 (Lee, Fevella).

SCRep. 2279 (Joint) Health and Human Services and Public Safety and Intergovernmental and Military Affairs on S.B. No. 2880

The purpose and intent of this measure is to expand the existing state exemption for United States Department of Defense-certified providers to those operating off federal property.

Your Committees received testimony in support of this measure from the United States Department of Defense and Hawaii Military Affairs Council.

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

Your Committees find that military child care certification demonstrates a commitment to quality child care by the certified provider, and allows for an expedited registration process, thereby enhancing the quality of life and economic security of providers and child care-seeking families. The current exemption applies only to child care providers located on federal property. This measure will broaden the exemption beyond those providers located on federal property and will increase access to quality child care for both civilian and military families.

Your Committees have amended this measure by:

- (1) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on 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. 2880, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2880, 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).
Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2280 Energy, Economic Development, and Tourism on S.B. No. 3059

The purpose and intent of this measure is to clarify the requirements to establish a quorum to do business and validate acts of the Stadium Authority.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and the Stadium Authority.

Your Committee finds that existing law relating to the Stadium Authority does not specify the requirements for establishing a quorum of the members or the number of votes necessary to adopt a measure. Your Committee further finds that the Stadium Authority has had issues in meeting the general quorum requirement set forth in section 92-15, Hawaii Revised Statutes, due to vacancies of Stadium Authority members. This measure provides the needed clarity to ensure the Stadium Authority can conduct its important business.

Your Committee has amended this measure by:

- (1) Inserting language to clarify that voting members of the Stadium Authority shall elect the Chairperson;

- (2) Clarifying that a majority of the voting members currently serving on the Stadium Authority shall constitute a quorum and the concurrence of a majority of all voting members currently serving on the Stadium Authority shall be necessary to make any action valid; and
- (3) Inserting an effective date of January 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on 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. 3059, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3059, 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. 2281 Energy, Economic Development, and Tourism on S.B. No. 3265

The purpose and intent of this measure is to:

- (1) Establish the Hawaii Film Advisory Council;
- (2) Amend the Motion Picture, Digital Media, and Film Production Income Tax Credit to:
 - (A) Increase the annual cap to \$60,000,000;
 - (B) Extend the sunset date of the tax credit to January 1, 2039;
 - (C) Clarify the requirements for an independent third-party certification; and
 - (D) Expand the definition of “qualified production” to include streaming platforms;
- (3) Provide a tax exemption for certified development of film studio facilities; and
- (4) Make an appropriation for the establishment of one full-time equivalent (1.0 FTE) film industry development liaison within the Creative Industries Division of the Department of Business, Economic Development, and Tourism.

Your Committee received testimony in support of this measure from the University of Hawai‘i System, Honolulu Film Office, County of Hawai‘i Department of Research and Development, SAG-AFTRA Hawaii Local, IATSE Local 665, ‘Ohina NMG Network, Hawaii Media Inc., Hawaii State AFL-CIO, Hawai‘i Lodging & Tourism Association, Hawaii Teamsters Local 996, Kapolei Chamber of Commerce, and forty-three individuals.

Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Taxation; Department of the Attorney General; Tax Foundation of Hawaii; and one individual.

Your Committee finds that the film industry in Hawaii is an important component of a diversified economy and that its financial impact can be strengthened significantly if existing incentives for the industry are improved. Your Committee further finds that the Motion Picture, Digital Media, and Film Production Income Tax Credit has had great success in increasing state revenues and gross domestic product since its enactment. This measure increases the total industry cap, updates antiquated language to better address the film industry’s current practices, extends the sunset date to give business certainty to project developers for long-term planning, and gives confidence to investors by addressing the critical barrier of infrastructure development.

Your Committee notes the numerous testifiers in support of the Native Hawaiian content provisions of this measure. Your Committee further notes, however, the concerns raised in the testimony from the Department of the Attorney General concerning the constitutionality of these provisions as they relate to racial classifications and potential violations of the United States Constitution’s Equal Protection Clause. Your Committee encourages testifiers in support of this measure to explore options with the Department of the Attorney General’s office in developing consensus language that would incorporate the desired Native Hawaiian content provisions within state and federal constitutional bounds that could be incorporated into future legislation.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have established a sub-committee of Native Hawaiian members within the Hawaii Film Advisory Council;
- (2) Deleting language that would have exempted qualified and certified productions meeting the requirements of Native Hawaiian content and staffing from the \$17,000,000 per project cap;
- (3) Deleting the definition of “Native Hawaiian content”;
- (4) Clarifying that the provisions establishing the general excise tax exemption for certified development of film studio facilities shall take effect on January 1, 2025; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3265, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3265, 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. 2282 Energy, Economic Development, and Tourism on S.B. No. 3360

The purpose and intent of this measure is to:

- (1) Update the Renewable Fuels Production Tax Credit to incentivize locally grown, produced, generated, or collected renewable fuel;
- (2) Extend the credit period from ten to twenty consecutive years; and
- (3) Increase the total amount of tax credits allowed to \$80,000,000 in any calendar year.

Your Committee received testimony in support of this measure from Pacific Biodiesel Technologies, LLC; Par Hawaii, LLC; Pono Pacific Land Management, LLC; Hawai'i Farm Bureau; and Tigershark, LLC.

Your Committee received testimony in opposition to this measure from the Energy Justice Network and one individual.

Your Committee received comments on this measure from the Department of Taxation, Department of the Attorney General, Hawaii State Energy Office, Hawaiian Airlines, Tax Foundation of Hawaii, Airlines for America, and Hawaii Bioeconomy Trade Organization.

Your Committee finds that in order for electric utility companies to meet the renewable portfolio standards by 2045 required by section 269-92(a), Hawaii Revised Statutes, an indispensable component of each electric utility company's renewable portfolio standard must include sufficient locally sourced firm, renewable energy sources to offset the intermittent nature of wind and solar-powered renewable energy. Your Committee further finds that to ensure sustainable inventories of locally sourced, firm renewable energy, long-term planning that includes incentives are essential for investment and development of locally sourced firm, renewable energy production. This measure expands the Renewable Fuels Production Tax Credit, which is a significant financial incentive for renewable fuel producers and contributes to achieving greater energy security for the State.

Your Committee has amended this measure by:

- (1) Changing the total tax credit amount of \$80,000,000 to an unspecified amount;
- (2) Changing the credit period from twenty consecutive years to an unspecified length of time;
- (3) Inserting an effective date of January 1, 2060, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee respectfully requests that subsequent Committees who may choose to deliberate on this measure make recommendations as to the appropriate total amount of tax credits allowed and the time period within which the Renewable Fuels Production Tax Credit should be available.

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. 3360, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3360, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2283 Energy, Economic Development, and Tourism on S.B. No. 3048

The purpose and intent of this measure is to establish the Digital Equity Grant Program to award grants to applicants to deploy digital equity projects to covered populations in the State.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Commerce and Consumer Affairs; State Council on Developmental Disabilities; Kapolei Chamber of Commerce; Broadband Hui; Vibrant Hawai'i; Chamber of Commerce Hawaii; IT Reuse Hawai'i; Hawaiian Telcom; and six individuals.

Your Committee finds that digital equity in every community across the State is essential to the well-being and economic realities of the State's residents. Your Committee further finds that the lack of digital equity has had a tremendously negative effect in many areas, but particularly rural and socio-economically disadvantaged communities. This measure will enable the Hawaii Broadband and Digital Equity Office to work with rural and underserved communities to identify and address barriers to digital equity and to establish a Digital Equity Grant Program so that individuals and communities in the State have the access and the ability to be full participants in the digital economy.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2060, 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. 3048, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3048, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2284 Energy, Economic Development, and Tourism on S.B. No. 3364

The purpose and intent of this measure is to:

- (1) Amend the powers and duties of the Hawaii Tourism Authority;
- (2) Require the Hawaii Tourism Authority to develop Destination Management Action Plans for each county and to perform the actions specified in each Destination Management Action Plan;
- (3) Rename the Hawaii Tourism Authority's Tourism Marketing Plan as the Strategic Tourism Management Plan and amend the required components of the plan; and
- (4) Require the Strategic Tourism Management Plan to include statewide destination management and regenerative tourism efforts and programs.

Your Committee received testimony in support of this measure from the Hawai'i Tourism Authority, Maui Hotel & Lodging Association, Kona-Kohala Chamber of Commerce, LahainaTown Action Committee, Council for Native Hawaiian Advancement, Association of Hawaiian Civic Clubs, Maui Chamber of Commerce, Hawai'i Lodging & Tourism Authority, and one individual.

Your Committee received testimony in opposition of this measure from one individual.

Your Committee finds that the State's approach to tourism needs greater management and coordination with private and public stakeholders. Your Committee further finds that the three-year, community-led Destination Management Action Plans that would be established in statute by this measure have been a key initiative through which communities across the State have articulated their needs, desires, and visions for tourism in their communities, on their terms. This measure amends the powers and duties of the Hawaii Tourism Authority, aligning statutory mandates for the Hawaii Tourism Authority with the work they have been doing to advance destination management and regenerative tourism.

Your Committee notes that the Hawaii Tourism Authority will be providing to the Committee a comparison of how much it costs to fund contractors for destination management under the Hawaii Tourism Authority's current contract with the Hawaii Visitors and Convention Bureau versus how much it will cost to fully fund these positions for destination management within the Hawaii Tourism Authority.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2060, 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. 3364, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3364, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2285 Energy, Economic Development, and Tourism on S.B. No. 3010

The purpose and intent of this measure is to require the Department of Business, Economic Development, and Tourism to direct the Hawaii State Energy Office, and work with utility companies and other renewable energy developers, on all applicable planning, leasing, and permitting processes, to expedite the development of renewable energy resources.

Your Committee received testimony in support of this measure from Hawai'i Gas; Tigershark, LLC; and one individual.

Your Committee received comments on this measure from the Hawaii State Energy Office and Public Utilities Commission.

Your Committee finds that more streamlined processes for planning, leasing, and permitting in the renewable energy sector would promote the production of clean energy. Your Committee further finds that collaboration between the Hawaii State Energy Office; the Department of Business, Economic Development, and Tourism; utility companies; and renewable energy developers is beneficial to expediting the development of renewable energy resources and progressing towards the State's renewable energy 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 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. 3010, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3010, 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. 2286 Energy, Economic Development, and Tourism on S.B. No. 3043

The purpose and intent of this measure is to clarify that the Small Business Regulatory Review Board has the authority to review legislation affecting small businesses in response to a request from small business owners.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Small Business Regulatory Review Board.

Your Committee finds that it is important that the purview of the Small Business Regulatory Review Board is clearly understood by the small business community, state and county agencies, Hawaii business chambers, and trade organizations. This measure clarifies that, in addition to reviewing any proposed new or amended rules, the Small Business Regulatory Review Board also has the authority to review legislation affecting small businesses.

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. 3043, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3043, 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. 2287 Energy, Economic Development, and Tourism on S.B. No. 3282

The purpose and intent of this measure is to:

- (1) Make the Hawaii State Energy Office a division of the Department of Business, Economic Development, and Tourism;
- (2) Rename the Chief Energy Officer as the Chief Energy Administrator;
- (3) Require the Hawaii State Energy Office to establish a State Energy Plan; and
- (4) Make an appropriation to the Hawaii State Energy Office.

Your Committee received testimony in support of this measure from Tigershark, LLC; and two individuals.

Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that in chapter 26, Hawaii Revised Statutes, the purview of the Department of Business, Economic Development, and Tourism (DBEDT) includes undertaking of energy development and management. Your Committee further finds that classifying the Hawaii State Energy Office as a division within DBEDT, rather than an attached agency, can promote expediency in implementation of renewable energy projects and implementation of a comprehensive State Energy Plan to progress towards the State's renewable energy goals. Further, requiring a Chief Energy Administrator to report directly to the Director of DBEDT will streamline efficiency and help centralize the State's energy policies.

Your Committee has amended this measure by:

- (1) Renaming the Hawaii State Energy Office as the Energy Division of the Department of Business, Economic Development, and Tourism; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the 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. 3282, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3282, 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. 2288 Energy, Economic Development, and Tourism on S.B. No. 3194

The purpose and intent of this measure is to authorize independent generators of renewable energy to wheel the renewable electricity they produce to users of renewable energy under administrative rules established by the Public Utilities Commission.

Your Committee received testimony in support of this measure from the Blue Planet Foundation; Hawaii Solar Energy Association, Inc.; Tawhiri Power, LLC; Tigershark, LLC; and one individual.

Your Committee received testimony in opposition to this measure from Kaua'i Island Utility Cooperative.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs; Public Utilities Commission; Ulupono Initiative, LLC; and Hawaiian Electric.

Your Committee finds that to achieve the State's renewable energy and resilience goals, the State needs a diverse portfolio of renewable energy assets from a variety of sources and at a variety of scales. Your Committee further finds that through retail wheeling, users of renewable energy, including affordable housing developments, the State, and the counties, could acquire clean electricity by purchasing and transmitting it from a clean electricity project developer. This measure authorizes retail wheeling and will support the State in adopting mechanisms to increase competition in local electricity markets, expand customer utility choice, and provide pathways for renewable energy innovation and generation.

Your Committee has amended this measure by:

- (1) Delaying the date by which the Public Utilities Commission shall have established policies and procedures to implement retail wheeling, from 2024 to 2025;
- (2) Inserting an effective date of January 1, 2060, 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. 3194, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3194, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2289 Public Safety and Intergovernmental and Military Affairs on S.B. No. 2512

The purpose and intent of this measure is to establish a reporting requirement for the transfer of public moneys by the Governor, pursuant to the Governor's emergency powers.

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 Department of Budget and Finance.

Your Committee finds that, in the event of a declared disaster, it is necessary for the Governor to assume certain emergency powers. These powers are necessary for the State to act to address situations affecting the life, safety, and well-being of the public. However, your Committee believes that it is imperative for the Governor to act with transparency. This measure will ensure that the Governor's actions remain transparent during a declared disaster.

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. 2512, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2512, 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. 2290 Public Safety and Intergovernmental and Military Affairs on S.B. No. 2781

The purpose and intent of this measure is to appropriate funds to establish the position of a Limited English Proficiency Language Coordinator within the Hawaii Emergency Management Agency.

Your Committee received testimony in support of this measure from the State Health Planning and Development Agency, Hawai'i Friends of Civil Rights, Pacific Gateway Center, Waipahu Safe Haven Immigrant/Migrant Resource Center, Hawai'i Coalition for Immigrant Rights, FilCom CARES, Kaibigan ng Lahaina, The Legal Clinic, Language Services Hawaii, Tagnawa, Hawai'i Alliance of Pacific Islanders, and six individuals.

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 Department of Human Services and Office of Language Access.

Your Committee finds that in the aftermath of a disaster, many limited English proficient persons encounter barriers to obtaining relief when applying for state or county programs, including financial, medical, housing, and food assistance programs. Your Committee further finds that in the immediate aftermath of the August 8, 2023, Maui wildfires, language interpreters and sign language interpreters were not present at the shelters, nor was any provision made to assist individuals through remote interpretation. This measure will ensure that limited English populations can access disaster relief information, aid, and relief through an established Limited English Language Access Coordinator within the Hawaii Emergency Management Agency.

Your Committee has amended this measure by inserting an effective date of January 1, 2042, 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. 2781, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2781, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2291 Public Safety and Intergovernmental and Military Affairs on S.B. No. 2924

The purpose and intent of this measure is to authorize the issuance of general obligation bonds and appropriate funds for planning, design, and construction for a warehouse to expand the Hawaii Emergency Management Agency's ability to store and deploy supplies and equipment to all counties within the State.

Your Committee received testimony in support of this measure from the Hawai'i Emergency Management Agency and Hawaii Food Industry Association.

Your Committee finds that it is vitally important for the State always to be prepared for a natural or human-caused disaster or emergency and to be able to respond in an effective, timely manner. Your Committee further finds that providing the Hawaii Emergency Management Agency with the ability to store and deploy life-saving supplies and equipment to all counties within the State in the event of a natural or human-caused disaster or emergency on one or more of the Hawaiian islands is crucial to ensure the continued safety and security of the State's residents. This measure will ensure the Hawaii Emergency Management Agency has the resources to plan, design, and construct a warehouse to store emergency supplies in each county.

Your Committee has amended this measure by inserting an effective date of January 1, 2042, 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. 2924, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2924, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2292 Public Safety and Intergovernmental and Military Affairs on S.B. No. 3072

The purpose and intent of this measure is to:

- (1) Temporarily lift various restrictions on the use of funds for Hawaii wildfire response; and
- (2) Extend the lapse date of certain funds set aside for this purpose.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawai'i Emergency Management Agency.

Your Committee finds that the State is in the midst of ongoing response efforts to address the heartbreaking aftermath of the August 8, 2023, wildfires in the counties of Hawaii and Maui, which caused extensive loss of life and damage. Your Committee further finds that while hundreds of millions of dollars have been appropriated in response to the fires, current law requiring lapsed funds to return to the general fund could interrupt critical recovery efforts and services due to a lack of available funds until another legislative appropriation is made. This measure will facilitate the continued uninterrupted provision of assistance to wildfire victims and ongoing wildfire recovery efforts.

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. 3072, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3072, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2293 Public Safety and Intergovernmental and Military Affairs on S.B. No. 3198

The purpose and intent of this measure is to appropriate funds for civilian auxiliary aviation services performed by the civil air patrol.

Your Committee received testimony in support of this measure from the Civil Air Patrol.

Your Committee finds that the civil air patrol is a nonprofit organization and an auxiliary of the United States Air Force, and its missions include emergency services, aerospace education, and cadet programs. Your Committee further finds that the civil air patrol emergency response and recovery activities have included search and rescue efforts, damage assessments, aerial photography of impacted areas, alerts and notifications, and the transportation of supplies. This measure will ensure the continuation of the Civil Air Patrol's operations during times of emergency by ensuring appropriate operation funds.

Your Committee has amended this measure by:

- (1) Adding language that provides that bylaw or policy requirements shall not apply to any incorporated agency or instrumentality of the United States wholly owned by the United States or by a corporation wholly owned by the United States;
- (2) Adding language that requires that beginning in fiscal year 2025-2026, funds required to be appropriated to carry on the operations and defray the expenses of the Hawaii Wing, Civil Air Patrol, be included in the Department of Defense's annual budget request; 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. 3198, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3198, 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. 2294 Public Safety and Intergovernmental and Military Affairs on S.B. No. 3041

The purpose and intent of this measure is to clarify membership and certain powers and duties of the Law Enforcement Standards Board and establish new deadlines for the completion of Board responsibilities.

Your Committee received testimony in support of this measure from the Department of the Attorney General and Department of Law Enforcement.

Your Committee received testimony in opposition to this measure from the State of Hawaii Organization of Police Officers; ACLU of Hawai'i; and Policing Project, New York University School of Law.

Your Committee finds that the Law Enforcement Standards Board is responsible for establishing minimum standards for employment as a law enforcement officer, certifying persons qualified as law enforcement officers, and establishing minimum criminal justice curriculum requirements for basic, specialized, and in-service courses and programs for the training of law enforcement officers. Your Committee further finds that expanding and then explicitly authorizing the Law Enforcement Standards Board to study and evaluate curriculums, collective bargaining, employment laws, rules, and agreements will allow the Board to establish standards, certifications, and training requirements in a purposeful and intentional manner. This measure will result in better standards, certifications, and training requirements for law enforcement officers and thereby increase public confidence in law enforcement and improve public safety.

Your Committee has amended this measure by:

- (1) Deleting language that would have provided an exemption to a person who entered into employment with the applicable county police department or state department before July 1, 2026, and termination of employment would violate any valid collective bargaining agreement; and
- (2) Making 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. 3041, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3041, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2295 Judiciary on S.B. No. 2395

The purpose and intent of this measure is to:

- (1) Require the Judiciary to establish a pilot program that implements compliance credits to reduce terms of probation for probationers who meet their terms of supervision; and
- (2) Appropriate funds for the pilot program.

Your Committee received testimony in support of this measure from the Office of the Public Defender, ACLU of Hawai'i, Community Alliance on Prisons, and Opportunity Youth Action Hawai'i.

Your Committee received comments on this measure from the Judiciary.

Your Committee finds that a 2014 study by the Council on State Governments Justice Center found that in the State, ninety-five percent of felony probationers receive supervision terms of five years or more. Out of the felony probationers receiving terms of more than three years, sixty percent are identified as having a low risk of reoffending. Your Committee believes that focusing resources during the initial period of supervision, when an individual is most likely to commit new crimes or violate their conditions of supervision, is an effective practice that maximizes the likelihood of recidivism reduction. Additionally, shortening the length of time spent actively supervising low- and medium-risk probationers and parolees who have complied with their conditions of supervision will allow resources to be focused on individuals who are more likely to reoffend. This measure will preserve scarce resources by reducing unnecessary and unproductive costs associated with probation without diminishing public safety.

Your Committee has amended this measure by:

- (1) Instituting a deadline of October 1, 2024, by which the Judiciary is to establish the four-year Compliance Credits Pilot Program;
- (2) Allowing the Judiciary to start the Pilot Program in one circuit;
- (3) Requiring the Judiciary to expand the Pilot Program to all circuits by October 1, 2026;
- (4) Requiring the Judiciary to collect data on the Pilot Program participants and outcomes of the Pilot Program;
- (5) Requiring the Criminal Justice Research Institute to analyze the data and compare the Pilot Program to other avenues for probationers to seek early termination of their probation;
- (6) Requiring the Judiciary to submit an interim report to the Legislature no later than forty days prior to the convening of the Regular Session of 2027;
- (7) Requiring the Judiciary to submit its final report to the Legislature no later than forty days prior to the convening of the Regular Session of 2029;
- (8) Inserting an appropriation amount of \$300,000; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2395, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2395, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 2296 (Majority) Judiciary on S.B. No. 2392

The purpose and intent of this measure is to:

- (1) Specify that election ballots issued by the Chief Election Officer or county clerk shall exclude any candidate who is disqualified by:
 - (A) Section 3 of the Fourteenth Amendment to the Constitution of the United States;
 - (B) Article XVI, section 3, of the Hawaii State Constitution; or
 - (C) Another constitutional or statutory provision;
- (2) Provide for a process for challenging a candidate's inclusion or exclusion on a ballot issued by the Chief Election Officer or a county clerk;
- (3) Include the grounds referenced in paragraph (1) as grounds for a complaint regarding an election contest;
- (4) Specify that electors of presidential and vice presidential candidates shall not be individuals who are disqualified by grounds referenced in paragraph (1), and provide for contests of nominations of individuals disqualified based upon those grounds; and
- (5) Prohibit electors of presidential and vice presidential candidates from voting for any presidential or vice presidential nominee who has been disqualified pursuant to section 3 of the Fourteenth Amendment to the Constitution of the United States, as determined by any federal court, or as determined by the Supreme Court in an election contest.

Your Committee received testimony in support of this measure from the Democratic Party of Hawai'i, Rainbow Family 808, Stonewall Caucus of the Democratic Party of Hawai'i, and ten individuals.

Your Committee received testimony in opposition to this measure from the Hawaii Republican Party, Hawaii Federation of Republican Women, and more than three hundred thirty individuals.

Your Committee received comments on this measure from the Department of the Attorney General, The Judiciary, and League of Women Voters of Hawaii.

Your Committee finds that citizens of the State have the right to expect that public servants be people of integrity, and not people who have committed actions that threaten democracy or undermine the vote of the people. This measure will ensure that public servants meet the requirements of the United States Constitution, Hawaii State Constitution, and other requirements set forth in statute.

Your Committee has amended this measure by:

- (1) Clarifying that electors of presidential and vice presidential candidates are prohibited from voting for any presidential or vice presidential nominee who has been disqualified pursuant to section 3 of the Fourteenth Amendment to the Constitution of the United States; article XVI, section 3, of the Hawaii State Constitution; or another constitutional or statutory provision as determined by a federal court or the Supreme Court;
- (2) Requiring that any challenge to the inclusion or exclusion of any candidate on a ballot issued by the Chief Election Officer or clerk that is not filed pursuant to section 12-8, Hawaii Revised Statutes, be filed with the Supreme Court, rather than in district court;
- (3) Changing references to "district court" to "supreme court";
- (4) Deleting language that would have allowed any order entered by the district court to be reviewed and adjudicated by the Supreme Court under certain circumstances;
- (5) Deleting language that would have allowed the Supreme Court to decline reviewing an order;
- (6) Clarifying that a complaint filed in the Supreme Court for a contest for cause is required to set forth any cause or causes, including:
 - (A) Provable fraud, overages, or underages, that could cause a difference in election results; or
 - (B) A candidate's disqualification pursuant to section 3 of the Fourteenth Amendment to the Constitution of the United States; article XVI, section 3, of the Hawaii State Constitution; or another constitutional or statutory provision;
- (7) Clarifying that a complaint filed for a contest for cause shall be dismissed if the complaint is based on facts or substantially similar facts that could have previously been raised and the action failed;
- (8) Amending section 1 to reflect its amended purpose; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2392, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2392, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 3; Ayes with Reservations (San Buenaventura). Noes, 2 (Gabbard, Awa). Excused, none.

SCRep. 2297 Judiciary on S.B. No. 3008

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 Office of Planning and Sustainable Development; Hawai'i Interagency Council for Transit-Oriented Development; Stadium Authority; Office of Housing of the City and County of Honolulu; one member of the Honolulu City Council; NAIOP Hawaii; Stanford Carr Development, LLC; and Move Oahu Forward.

Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that tax increment financing has been widely used in other states to capture the increased property values in dense, mixed-use transit-oriented development. However, while tax increment bonds are authorized under chapter 46, Hawaii Revised Statutes, counties have been reluctant to use tax increment bonds as a financing tool because of uncertainty in the allowance of its use under the Hawaii State Constitution. This measure will clarify the allowance of tax increment bonds as a financing tool by political subdivisions, such as counties.

Your Committee has amended this measure by 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 the assessed value of the taxable real property located within a tax increment district in a given year and the assessed value of the taxable real property in the tax increment district during the year the tax increment district was created.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3008, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3008, 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. 2298 Judiciary on S.B. No. 2638

The purpose and intent of this measure is to:

- (1) Require boards to make available for public inspection board packets, if created, at the time the board packet is distributed to the board members but no later than two business days before the meeting; and
- (2) Establish an exception by allowing public testimony to be distributed to board members within two business days before the meeting.

Your Committee received testimony in support of this measure from the Public First Law Center; Society of Professional Journalists, Hawaii Chapter; and one individual.

Your Committee received comments on this measure from the University of Hawai'i System and Office of Information Practices.

Your Committee finds that existing law requires a board packet, or materials compiled and distributed to board members before their use at the meeting, to be distributed at least forty-eight hours prior to the meeting and be made available to the public at that same time. However, since written public testimony is among the materials compiled and distributed to board members for their use at a meeting, which usually comes within the last day or two before a meeting, boards have been required to use work-arounds such as waiting to distribute the testimony until the meeting itself to avoid violating the forty-eight hour requirement. This measure will provide clarity and assist boards in distributing written public testimony to their members in time for those members to read it before a meeting.

Your Committee has amended this measure by:

- (1) Adding language that requires a board to include in a notification sent to a person requesting the notification of meetings a list of the documents that were compiled by the board and distributed to the board members before a meeting for use at that meeting; and
- (2) Adding language that requires a board to post the board packet on its website.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2638, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2638, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2299 Commerce and Consumer Protection on S.B. No. 2227

The purpose and intent of this measure is to authorize the Governor to suspend the mortgage foreclosure provisions of chapter 667, Hawaii Revised Statutes (HRS), for any property having substantial damage resulting from a disaster for which a state of emergency has been declared by the Governor.

Your Committee received testimony in support of this measure from Lahaina Strong; Democratic Party of Hawai'i; UNITE HERE Local 5; one member of the Honolulu City Council; two members of the Maui County Council; one member of the Kaua'i County Council; Hawaii Financial Services, LLC; and fifty-eight individuals.

Your Committee received comments on this measure from the Hawaii Bankers Association.

Your Committee finds that disasters, man-made or natural, can have devastating economic impacts on communities and financially-fragile families. Property owners are often faced with unprecedented financial challenges, such as the loss of employment or income or the need to rebuild or repair their property, while still being required to make payments on their mortgage. Your Committee finds that pursuant to chapter 127A, HRS, certain emergency powers are conferred on the Governor to provide relief for disaster damages, losses, and suffering, and to protect the health, safety, and welfare of the people of Hawaii. However, your Committee also finds that the emergency management law does not currently provide the Governor with the express authority to suspend the mortgage foreclosure provisions of chapter 667, HRS. Therefore, this measure amends the emergency management law to allow the Governor to provide much-needed foreclosure protections for a period of up to thirty-six months for property owners that are impacted by an emergency event or disaster.

Notwithstanding, your Committee notes the concerns expressed by the Hawaii Bankers Association that suspending mortgage foreclosures for up to thirty-six months could negatively impact a bank's overall stability and elevate risk, which in turn would tighten credit markets and hurt consumers who need access to capital after an emergency. Your Committee finds that this issue raises concerns that merit further discussion and respectfully requests that subsequent Committees to which this measure is referred consider this issue.

Therefore, your Committee has amended this measure by:

- (1) Changing the proposed maximum mortgage foreclosure suspension period from thirty-six months to an unspecified time period;
- (2) Inserting an effective date of July 1, 2040, 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. 2227, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2227, 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 (Richards).

SCRep. 2300 Commerce and Consumer Protection on S.B. No. 2762

The purpose and intent of this measure is to prohibit, for any county having a population greater than 120,000 but less than 180,000, a landlord from renting or leasing, or offering to rent or lease, a dwelling unit at a rate that exceeds the rate for which that dwelling unit was rented or leased or offered for rent or lease on the measure's effective date, to be repealed on December 31, 2025.

Your Committee received testimony in support of this measure from Lahaina Strong; the Democratic Party of Hawai'i, UNITE HERE Local 5; Hawaii Financial Services, LLC; and seventy-one individuals.

Your Committee received testimony in opposition to this measure from the Hawaii Young Republicans and two individuals.

Your Committee received comments on this measure from the Department of the Attorney General, Hawai'i Association of REALTORS, and Grassroot Institute of Hawaii.

Your Committee finds that establishing rent ceilings, or the maximum amount of rent a landlord is allowed to charge a tenant, for a limited duration can help provide stability, affordability, and expedient relief for renters in crisis, such as renters that are experiencing a housing shortage as a result of a natural disaster. Therefore, this measure establishes a rent ceiling for certain counties, to be set at the rate at which that dwelling unit was rented or leased or offered for rent or lease on the measure's effective date, to be repealed on December 31, 2025.

Notwithstanding, your Committee has heard the concerns raised in the Department of the Attorney General's testimony that this measure may be susceptible to certain constitutional challenges and that the use of session law as a vehicle for the prohibition on rent increases, as opposed to incorporating the provisions in statute, may create notice issues for the measure. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Inserting legislative findings;
- (2) Deleting language that would have set forth the prohibition on rent increases in session law and inserting language that would codify the prohibition as a new section under chapter 521, Hawaii Revised Statutes, relating to the Residential Landlord-Tenant Code;
- (3) Inserting certain conditional exceptions to the proposed prohibition on rent increases;
- (4) Requiring the rent rate ceiling to be established by appropriate county council resolution, rather than the rate for which the dwelling unit was rented or leased, or was offered for rent or lease, on the measure's effective date;
- (5) Extending the measure's proposed repeal date from December 31, 2025 to July 1, 2029;
- (6) Inserting an effective date of July 1, 2030, 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. 2762, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2762, 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 (Richards).

SCRep. 2301 Water and Land on S.B. No. 3156

The purpose and intent of this measure is to repeal the sunset provision of Act 222, Session Laws of Hawaii 2021, to allow the Board of Land and Natural Resources to approve rent credits for demolition and infrastructure costs for public land leases beyond its current sunset date of June 30, 2026.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that Act 222, Session Laws of Hawaii 2021 (Act 222), authorizes the Board of Land and Natural Resources to reduce or waive rent payments over a fixed period specified in the lease contract for public land in exchange for demolition of existing unusable improvements or installation of new basic infrastructure, including drainage, sewer, water, or electrical utilities by the lessee. Act 222 also provides the Department of Land and Natural Resources with flexibility in its negotiations with lessees and allows the Department to incentivize development on public lands. However, Act 222 will sunset on June 30, 2026. This measure will allow the Department of Land and Natural Resources to retain its authority to negotiate long-term leases pursuant to commercially reasonable standards, while providing rent credit incentives.

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. 3156, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3156, 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. 2302 (Joint) Water and Land and Public Safety and Intergovernmental and Military Affairs on S.B. No. 3155

The purpose and intent of this measure is to:

- (1) Abolish the Task Force on Beach and Water Safety and the Risk Assessment Working Group; and
- (2) Require the design and placement of warning signs, devices, and system to be approved by the Chairperson of the Board of Land and Natural Resources for state beach parks and the county mayors for county beach parks.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees received comments on this measure from one individual.

Your Committees find that the Task Force on Beach and Water Safety and the Risk Assessment Working Group were established in 1996 and 2003, respectively, to advise the Chairperson of the Board of Land and Natural Resources regarding the design and placement of warning signs, devices, or systems at public beach parks and improved public lands. Since their establishment, virtually all managed public beaches, parks, and trails have been examined and the requisite warning signs are in place and state and county staff are charged with ensuring the legibility and maintenance of the signage. The two groups have not assembled for more than fifteen years and are no longer necessary to effectuate proper warnings of dangers at public beach parks and improved public lands. This measure will eliminate bureaucracy and an unfunded mandate to manage and assemble groups that have not and may not need to meet for years at a time but still maintain the liability protection for the government.

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. 3155 and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
Water and Land: Ayes, 5; Ayes with Reservations (McKelvey). Noes, none. Excused, none.
Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 2303 (Joint) Commerce and Consumer Protection and Housing on S.B. No. 2026

The purpose and intent of this measure is to require the Director of Finance to consider, before the selection of a depository for the state treasury, the beneficial effects to the State of using depositories within the State, including but not limited to lending at favorable terms for the creation of certain affordable housing units.

Your Committees received testimony in support of this measure from two individuals.

Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Budget and Finance, and Hawaii Bankers Association.

Your Committees find that the moneys collected by the State are held in trust for the benefit of the public and thus decisions related to where and how to invest the public treasury concern matters of public policy. Your Committees further find that the Director of Finance is granted the discretion to invest the public treasury with certain depositories, subject to the approval of the Governor and certain statutory requirements. Your Committees find that because the State is experiencing a housing crisis, depositories that have issued loans with favorable terms to housing developers for the benefit of residents of Hawaii are considered to have benefitted the State. Therefore, this measure will require the Director of Finance to consider the amount of loans with favorable terms that a

depository has issued to developers of housing for Hawaii residents when evaluating the beneficial effects to the State of using that depository, in addition to the existing requirements to consider factors such as safety, liquidity, and yield offered on deposits.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2030, 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 Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2026, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2026, 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, 4. Noes, none. Excused, 1 (Richards).

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

SCRep. 2304 (Joint) Public Safety and Intergovernmental and Military Affairs and Health and Human Services on S.B. No. 2305

The purpose and intent of this measure is to appropriate funds to establish a Silver Alert Program within the Department of Law Enforcement to help locate and safeguard missing persons who are sixty-five years of age or older, cognitively impaired, or developmentally disabled.

Your Committees received testimony in support of this measure from the Department of Human Services; Department of Law Enforcement; Executive Office on Aging; Hawaii State Council on Developmental Disabilities; Kokua Council; United Public Workers, AFSCME Local 646, AFL-CIO; Hawai'i Public Health Institute; Hawai'i Public Health Association; Hawai'i Primary Care Association; Hawaii Disability Rights Center; Hawaii Family Caregiver Coalition; Alzheimer's Association; Hawai'i Parkinson Association; Hawaii Alliance for Retired Americans; Catholic Charities Hawai'i; UNITE HERE! Local 5; AARP Hawai'i; Hawaii Government Employees Association, AFSME Local 152, AFL-CIO; Association of Hawaiian Civic Clubs; Pono Consulting; Papa Ola Lokahi; and nineteen individuals.

Your Committees find that more than half of states nationwide have established silver alert programs that help identify missing individuals with cognitive impairments, developmental disabilities, or the elderly. Your Committees further find that the State must protect vulnerable kupuna and persons with cognitive impairments or developmental disabilities who are missing. This measure will provide immediate information to the public, facilitate a prompt response, and enhance the chances of locating an individual with a developmental disability, cognitive impairment, or who is sixty-five years of age or older.

Your Committees have amended this measure by:

- (1) Inserting an effective date of January 1, 2042, 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 Public Safety and Intergovernmental and Military Affairs 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. 2305, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2305, 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 (Awa).

Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 2305 (Joint) Water and Land and Public Safety and Intergovernmental and Military Affairs on S.B. No. 2162

The purpose and intent of this measure is to require the Department of Land and Natural Resources to pursue and obtain accreditation for the Conservation and Resources Enforcement Program from the Commission on Accreditation for Law Enforcement Agencies, Inc.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Kua'āina Ulu 'Auamo, and two individuals.

Your Committees find that the Conservation and Resources Enforcement Program of the Department of Land and Natural Resources requires proper training, equipment, and organizational support to succeed in preserving the public peace and safety. To this end, the Division of Conservation and Resources Enforcement of the Department of Land and Natural Resources established its own academy to better train law enforcement officers. Prior to 2021, the Conservation and Resources Enforcement Program was required to seek and obtain accreditation from the Commission on Accreditation for Law Enforcement Agencies, Inc., in the use of electric guns, but Act 183, Session Laws of Hawaii 2021, inadvertently repealed that requirement. This measure will enable the Conservation and Resources Enforcement Program to succeed in its mission by restoring this requirement.

Your Committees have amended this measure by:

- (1) Removing appropriation-related language as this measure does not require an appropriation;
- (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 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. 2162, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2162, 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.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 2306 Hawaiian Affairs on S.B. No. 2594

The purpose and intent of this measure is to allow any qualified successor of a beneficiary who died before receiving a lease to file a claim for a lease award within four years of the effective date of this measure.

Your Committee received testimony in support of this measure from four individuals.

Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that, as recently as 2022, there were more than twenty-eight thousand native Hawaiian beneficiaries on the homestead lease waitlist. When beneficiaries on the waitlist pass away prior to receiving a lease award, the beneficiary often loses the ability to have their heirs inherit a lease. Your Committee also finds that many successors to deceased beneficiaries are not of fifty percent Hawaiian blood quantum and therefore are not qualified for a lease award. This measure will allow successors of at least twenty-five percent blood quantum to file a claim with the Department of Hawaiian Home Lands for lease awards so that the heirs of deceased beneficiaries may succeed to a lease within four years of the effective date of this measure.

Your Committee has amended this measure by:

- (1) Specifying that this measure shall be known as the “Fred Keakaokalani Cachola Act”;
- (2) Specifying that undivided interest lease awards may be posthumously granted to qualified successors by the Department of Hawaiian Home Land at the sole discretion of the Hawaiian Homes Commission;
- (3) Specifying that qualified successors shall be of at least twenty-five percent blood quantum;
- (4) Providing the Department of Hawaiian Home Lands with two years to adopt rules to implement this measure;
- (5) Amending section 1 to reflect its amended purpose;
- (6) Making it effective upon either the date that congressional approval is deemed necessary or the date of consent by the United States Congress; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2594, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2594, 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 (Richards).

SCRep. 2307 (Joint) Hawaiian Affairs and Energy, Economic Development, and Tourism on S.B. No. 2650

The purpose and intent of this measure is to appropriate moneys for the continued exploration and identification of geothermal resources on Hawaiian Home Lands.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands; Hawaii State Energy Office; Hawaiian Electric; Sustainable Energy Hawai‘i; Ulupono Initiative; Ho‘omana Pono, LLC; Tigershark, LLC; and seven individuals.

Your Committees received testimony in opposition to this measure from four individuals.

Your Committees find that geothermal resources can provide stable power and community benefits, while also being a viable alternative to biofuels. Furthermore, there may be geothermal resources present on Hawaiian Home Lands. This measure will appropriate funds for the Department of Hawaiian Home Lands to gather more information and to investigate suspected hot spots of geothermal activity.

Your Committees have amended this measure by:

- (1) Inserting an unspecified appropriation amount; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that the original appropriation amount of \$6,000,000 is the approximate amount required for the Department of Hawaiian Home Lands to continue exploration and identification of geothermal resources on Hawaiian Home Lands. Your Committees also note the concerns that exploration and identification of geothermal resources will damage Native Hawaiian cultural sites and burial sites, and that the requisite infrastructure and regulatory safeguards are not yet in place to ensure the safety of affected communities. Your Committees respectfully request that these issues be considered by subsequent committees should they choose to deliberate on this measure as it progresses through the legislative process.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2650, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2650, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Richards).

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2308 (Joint/Majority) Hawaiian Affairs and Water and Land on S.B. No. 2653

The purpose and intent of this measure is to authorize 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; Ho'omana Pono, LLC; one member of the Maui Lanai Islands Burial Council; and three individuals.

Your Committees received testimony in opposition to this measure from the Historic Hawai'i Foundation, Society for Hawaiian Archaeology, and four individuals.

Your Committees received comments on this measure from the Office of Hawaiian Affairs and one individual.

Your Committees find that section 6E-8, Hawaii Revised Statutes, plays a critical role in the protection of management of the State's historic properties and burial sites. Section 6E-8(b), Hawaii Revised Statutes, 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. This measure will eliminate the need for the Department of Hawaiian Home Lands to consult with the State Historic Preservation Division regarding proposed projects on Department of Hawaiian Home Lands lands, which will expedite the work that the Department of Hawaiian Home Lands does for beneficiaries on its waitlist.

Your Committees have amended this measure by:

- (1) Adding language that requires the Department of Hawaiian Home Lands to acquire adequate resources and processes to conduct reviews pursuant to this measure;
- (2) Adding language that requires the Department of Hawaiian Home Lands to consult with the Office of Hawaiian Affairs when reviewing projects on sites that are significant under criteria "e"; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees encourage the Department of Hawaiian Home Lands to promulgate a process for historic reviews similar to that of the State Historic Preservation Division. Your Committees further note concerns that the Department of Hawaiian Home Lands does not have qualified staff, subject matter expertise, or the appropriate administrative framework to review and make final determinations regarding proposed projects on lands under its jurisdiction. Your Committees also note the concerns raised by Keomailani Hanapi Hirata, suggesting that the Department of Hawaiian Home Lands fails to properly observe Native Hawaiian culture in its efforts to fulfill its mission.

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. 2653, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2653, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Hawaiian Affairs: Ayes, 3; Ayes with Reservations (Ihara). Noes, none. Excused, 2 (Richards, Fevella).

Water and Land: Ayes, 2. Noes, 1 (Fevella). Excused, 2 (Chang, McKelvey).

SCRep. 2309 (Joint) Housing and Government Operations on S.B. No. 2028

The purpose and intent of this measure is to consolidate the Hawaii Housing Finance and Development Corporation, Hawaii Community Development Authority, Hawaii Public Housing Authority, and Office of Planning and Sustainable Development into a new Department of Housing.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees received comments on this measure from the Department of Budget and Finance, Hawaii Public Housing Authority, and the Hawai'i Community Development Authority.

Your Committees find that Hawaii is currently undergoing a housing crisis and that there are multiple state agencies responsible for housing. The existence of multiple separate agencies creates redundancies and bureaucracies that hinder the work of solving Hawaii's housing crisis. The Department of Housing established by this measure could bring several advantages, such as centralized, streamlined coordination between government agencies, prioritization of sustainable and resilient housing solutions, and the creation of comprehensive plans that are unique to Hawaii, and aligned with the State's goals.

Your Committees have heard the concerns raised in testimony that the federal government requires that the State's public housing authority's governing body be legally and financially responsible for the public housing authority's performance. Your Committees note that the agencies affected by this measure would continue to be administratively attached agencies within the newly established Department of Housing. Your Committees also note that Article V, Section 6 of the Hawaii State Constitution limits the number of

principal departments to twenty, of which there are currently nineteen. This measure would therefore create the twentieth and final department of 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 Housing and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2028, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2028, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Wakai).

SCRep. 2310 Housing on S.B. No. 2077

The purpose and intent of this measure is to establish an Interim Construction Subaccount within the Dwelling Unit Revolving Fund to be used for the interim financing of new construction projects under section 201H-43, Hawaii Revised Statutes, prioritizing projects located on state-or county-owned lands in counties with a population of less than five hundred thousand; provided that, for units in for-sale projects, the units shall be made available only to Hawaii residents who are owner-occupants and own no other real property.

Your Committee received testimony in support of this measure from one individual.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that Hawaii is in the middle of a housing crisis. This crisis is accentuated by the State's current economic environment, high inflation, and high interest rates, making construction considerably more expensive. This measure establishes a dedicated source of funds to prioritize housing projects to benefit local residents of the State.

Your Committee has amended this measure by:

- (1) Replacing the phrase "exclusively for Hawaii residents who own no other real property" with "qualified residents" as defined in section 201H-32, Hawaii Revised Statutes;
- (2) Deleting the restriction to counties with a population of fewer than five hundred thousand;
- (3) Authorizing the Director of Finance to issue general obligation bonds in the sum of \$30,000,000; 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2077, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2077, 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. 2311 (Joint) Housing and Government Operations on S.B. No. 2038

The purpose and intent of this measure is to:

- (1) Require the Hawaii Housing Finance and Development Corporation (HHFDC) to employ an Executive Director to be nominated by the Governor, subject to the advice and consent of the Senate;
- (2) Transfer the duties and powers of the Board of Directors of HHFDC to the Executive Director; and
- (3) Require the Board to advise the Executive Director.

Your Committees received testimony in opposition to this measure from two members of the Board of Directors of the Hawaii Housing Finance and Development Corporation and one individual.

Your Committees received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committees find that Hawaii is experiencing a severe housing shortage. HHFDC is the agency tasked with developing and constructing affordable housing projects across the State, but it has fallen short of meeting the State's housing needs. This measure consolidates the HHFDC's Board of Directors' combined decision-making abilities under a single Executive Director, with the Board acting in an advisory capacity, to streamline the decision-making process within HHFDC.

Your Committees note the concerns raised in testimony that this measure has the potential to weaken neighbor island representation with regard to the HHFDC Board of Directors and whether this measure limits these representatives' abilities to advocate for housing within their represented communities, given the restructuring of the Board pursuant to this measure. Your Committees believe these issues merit further consideration from future committees who may choose to deliberate on this measure as it advances through the legislative process.

Your Committees additionally note that, in contrast to testimony offered by HHFDC, HHFDC has failed to produce a plan to end Hawaii's housing shortage; has recently approved a 2023 Qualified Allocation Plan that continues to finance (with taxpayer funds) the production of temporarily affordable housing owned by private, for profit entities; has not conducted annual evaluations of its Executive Director; has not spent approximately \$40 million in taxpayer funds currently in the Dwelling Unit Revolving Fund; and has

no plan to house the approximately fifteen thousand families who live in affordable housing whose affordability restrictions are scheduled to expire between now and 2100. Your Committees note, however, that HHFDC's communication with the Legislature has improved over the past year, and your Committees hope these efforts will soon bear fruit.

Your Committees have amended this measure by:

- (1) Clarifying that, notwithstanding any law to the contrary, HHFDC shall employ an Executive Director who shall be nominated and, by and with the advice and consent of the Senate, appointed by the Governor without regard to chapter 76, Hawaii Revised Statutes, and who shall serve at the pleasure of the Governor; 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 Housing and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2038, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2038, 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, 5. Noes, none. Excused, none.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Wakai).

SCRep. 2312 Housing on S.B. No. 2344

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 to consider any available federal low-income housing tax credits needed for construction of permanent supportive housing units.

Your Committee received testimony in support of this measure from Hawaii Public Housing Authority, Catholic Charities Hawai'i, Hawai'i State Youth Commission, Democratic Party of Hawai'i, Partners in Care, and two individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Human Services, Hawaii Housing Finance and Development Corporation, and Hawaii Substance Abuse Coalition.

Your Committee finds that Hawaii currently has a large homeless population, many of whom are chronically homeless. Lack of a supportive housing system impacts the ability for these individuals to live independently, and once housed, fifty to seventy percent of chronically homeless individuals seek treatment and show a willingness to improve their quality of life. This measure establishes a supportive housing program to give these individuals a chance at recovery.

Your Committee has heard the concerns raised by the Hawaii Housing Finance and Development Corporation with regard to this measure's lack of a permanent source of funding to pay for long-term on-site supportive services and building maintenance over the life of the facility. Your Committee finds that these issues and concerns merit further consideration and requests that future Committees further examine these issues and concerns as this measure advances through the legislative process.

Your Committee has amended this measure by:

- (1) Clarifying that the purpose of this measure is to authorize the issuance of general obligation bonds and appropriate bond proceeds to the Hawaii Public Housing Authority to begin the development and construction with a qualified developer or operator of permanent supporting housing units, or both; and
- (2) Making 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. 2344, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2344, 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. 2313 Housing on S.B. No. 3202

The purpose and intent of this measure is to:

- (1) Allow for the development of a minimum of four homes per lot in the state urban land use district;
- (2) Allow for approval for subdivisions of parcels with a minimum lot size of one thousand two hundred square feet in the state urban land use district; and
- (3) Amend the calculation of impact fees for certain developments.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Land Use Commission, County of Hawai'i Planning Department, Housing Hawai'i's Future, Holomua Collaborative, Hawaii Appleseed Center for Law and Economic Justice, Naiop Hawaii, Hawai'i Gas, Church of the Crossroads, Grassroot Institute of Hawaii, AIO, Build Better Live Better, Title Guaranty Hawaii, Tori Richard, AARP Hawai'i, Hawai'i Zoning Atlas, Hawai'i YIMBY, Hawai'i Housing Affordability Coalition, Affordable Housing Connections LLC, Mana Up, and eight individuals.

Your Committee received testimony in opposition to this measure from Hawaii's Thousand Friends.

Your Committee received comments on this measure from the Department of the Attorney General and Hawai'i Association of REALTORS.

Your Committee finds that Hawaii is currently undergoing a housing crisis. One considerable factor for the high costs of housing in the State is the requirement that each single-family home shall have at least five thousand square feet of land. This significantly increases the cost of building a home and incentivizes the creation of much larger homes, many of which only wealthy families can afford. This measure promotes higher density, compact development, and the efficient use of the State's limited lands that are suitable for residential development to help the State address its housing shortfall and reduce the pressure to convert agricultural and conservation lands to urban uses. This measure will further bring Hawaii into conformity with zoning and planning principles of other jurisdictions throughout the country that have successfully built workforce housing.

Your Committee has amended this measure by:

- (1) Specifying that the new section in chapter 46, Hawaii Revised Statutes, be added to Part I of the chapter;
- (2) Specifying that the new section in chapter 205, Hawaii Revised Statutes, be added to Part I of the chapter;
- (3) Clarifying that, notwithstanding any other law, county ordinance, or rule to the contrary, the director of the county agency responsible for land use shall give final approval for any application for subdivision, consolidation, or resubdivision of parcels within the state urban land use district, subject to 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3202, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3202, 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. 2314 (Joint) Housing and Hawaiian Affairs on S.B. No. 3110

The purpose and intent of this measure is to add the Chairperson of the Hawaiian Homes Commission, or the Chairperson's designee, to the Board of Directors of the Hawaii Housing Finance and Development Corporation (HHFDC) as an ex officio nonvoting member.

Your Committees received testimony in support of this measure from the Department of Hawaiian Homelands; Ho'omana Pono, LLC; and two individuals.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committees find that Native Hawaiians suffer from longstanding socioeconomic hardships that include the lack of affordable housing. Your Committees also find that HHFDC is tasked with developing and financing low- and moderate- income housing projects and administering homeownership programs within the State. This measure will promote collaborative engagement and direct communication between HHFDC and the Hawaiian Homes Commission.

Your Committees have heard the concerns raised by the HHFDC regarding quorum and note that since the Chairperson of the Hawaiian Homes Commission is being added as an ex officio nonvoting member, quorum should remain at five voting members. Your Committees also note that the Chairperson of the Hawaiian Homes Commission has fiduciary duties to trust beneficiaries and therefore your Committees are concerned as to what responsibilities the Chairperson would have, if any, to disclose any potential conflicts of interest, should a matter concerning the Hawaiian Homes Commission Trust come before the HHFDC Board of Directors. Your Committees ask that future committees to which the measure is referred consider this concern as this measure moves forward in the legislative process.

As affirmed by the records of votes of the members of your Committees on Housing and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3110 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.

Hawaiian Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 2315 Water and Land on S.B. No. 2810

The purpose and intent of this measure is to appropriate funds to the Division of Forestry and Wildlife of the Department of Land and Natural Resources for the management of Pololu Valley, including various improvements necessary for conservation and protection.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Hawai'i Tourism Authority.

Your Committee finds that Pololu Valley, which is situated on the northern coast of the island of Hawaii, attracts numerous tourists and other visitors on account of its unparalleled natural beauty, lush landscapes, diverse flora and fauna, and cultural significance to Native Hawaiians. The area's lack of convenient restrooms and visitor education center have contributed to safety and litter issues that

harm Pololu Valley. This measure will help to safeguard and prevent the decline of Pololu Valley and ensure that future generations may enjoy it.

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. 2810, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2810, 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. 2316 Water and Land on S.B. No. 2978

The purpose and intent of this measure is to:

- (1) Establish an income tax credit to incentivize the voluntary relinquishment of private water systems;
- (2) Direct the Attorney General to initiate eminent domain proceedings to acquire privately-owned water systems in certain areas; and
- (3) Appropriate moneys to the Department of the Attorney General to fund eminent domain proceedings to acquire private water systems.

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, Department of Agriculture, and Hawai'i Farm Bureau.

Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that only twenty-five percent of water resources in the County of Maui are provided by the county, while seventy-five percent of water resources are provided by private operators. This measure will return water to the public by incentivizing the voluntary relinquishment of private water systems and by directing the Attorney General to commence eminent domain proceedings to acquire water systems in certain counties.

Your Committee has amended this measure by:

- (1) Adding language specifying that any water systems relinquished or condemned pursuant to this measure shall be owned, operated, and maintained by the respective county in which the subject system is located;
- (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. 2978, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2978, 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. 2317 Water and Land on S.B. No. 3050

The purpose and intent of this measure is to clarify that upon request, the Hawaii Community Development Authority may render services to and assist state and county agencies with projects within or outside of designated community development districts.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Land and Natural Resources; Hawai'i Community Development Authority; and one individual.

Your Committee finds that the Hawaii Community Development Authority is the State's redevelopment agency that is responsible for community renewal by promoting and coordinating public and private sector development. The Hawaii Community Development Authority's expertise in master planning communities, infrastructure development and improvement, and project management would be indispensable to state and county agencies working on projects within and outside of designated community development districts. This measure will benefit the public, improve conditions for residents of Hawaii, and enhance collaborative work involving the Hawaii Community Development Authority and other state agencies.

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. 3050, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3050, 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. 2318 Water and Land on S.B. No. 3054

The purpose and intent of this measure is to replace the Director of Law Enforcement with the Director of Corrections and Rehabilitation as a member of the Hawaii Interagency Council for Transit-Oriented Development (Council).

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development and the Department of Business, Economic Development, and Tourism.

Your Committee finds that when Act 278, Session Laws of Hawaii 2022, reorganized the Department of Public Safety, section 226-64(a), Hawaii Revised Statutes, was amended to replace the Director of Public Safety with the Director of Law Enforcement as a member of the Council. As the Council advises on state facilities in transit-oriented development areas, the Director of Corrections and Rehabilitation, who has administrative responsibilities for correctional and rehabilitation facilities statewide, is the more appropriate director to serve on the Council. This measure will ensure that the Department of Corrections and Rehabilitation remains involved in transit-oriented development planning and implementation statewide.

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. 3054, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3054, 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. 2319 Water and Land on S.B. No. 3153

The purpose and intent of this measure is to:

- (1) Establish a special fund to receive funds for the Dam and Appurtenance Improvement or Removal Grant Program; and
- (2) Appropriate funds for the Dam and Appurtenance Improvement or Removal Grant Program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Agribusiness Development Corporation, Land Use Research Foundation of Hawaii, Hawai'i Farm Bureau, and Hawaii Crop Improvement Association.

Your Committee finds that many private dam owners do not have the resources to conduct the necessary repairs or removal of their dams, resulting in dams remaining unsafe and continuing to pose a risk to the downstream public in the event of a dam failure. It is in the public's best interest for the Legislature to provide financial assistance to private dam owners because dams provide the public with numerous benefits. Act 134, Session Laws of Hawaii 2023, established and appropriated \$10,000,000 for a Dam and Appurtenance Improvement or Removal Grant Program to financially assist owners of private dams and appurtenances with maintenance. However, the Department of Land and Natural Resources anticipates that the funds will lapse before it can establish its grant application rules process, returning the funds to the general fund. This measure will resolve this issue by creating a special fund dedicated to the Dam and Appurtenance Improvement or Removal Grant Program.

Your Committee has amended this measure by:

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

Your Committee notes that the positions for the Dam and Appurtenance Improvement or Removal Program must be recurring for the Department of Land and Natural Resources to have the staffing resources necessary to administer the program.

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. 3153, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3153, 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. 2320 Water and Land on S.B. No. 3154

The purpose and intent of this measure is to clarify that failure to comply with approved mitigation commitments, conduct an archaeological inventory survey, or comply with other administrative requirements pertaining to archaeology approved by the Department of Land and Natural Resources shall result in civil and administrative violations.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs and Historic Hawai'i Foundation.

Your Committee finds that it is difficult for the State Historic Preservation Division of the Department of Land and Natural Resources to determine if a historic property or burial site is affected, damaged, or destroyed because of a failure to comply with administrative provisions as statute does not clearly provide any penalties for noncompliance with administrative requirements. This measure will provide the State Historic Preservation Division with more flexibility in regulating archaeological activities in the State and protecting historic properties and burial sites.

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. 3154, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3154, 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. 2321 Water and Land on S.B. No. 3158

The purpose and intent of this measure is to require that lease extensions approved by the Board and Land and Natural Resources update the lease terms and conditions to reflect the most current standard lease form terms and conditions and ensure that in a conflict or inconsistency between an updated lease term or condition authorized under chapter 171, Hawaii Revised Statutes, and a term or condition of the lease being extended, the updated lease term or condition authorized under chapter 171, Hawaii Revised Statutes, shall control.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that the Board of Land and Natural Resource's inability to update lease terms and conditions not only deprives the public of a fair return for the use of public lands, but also could lead to additional liability against the State and significant public health and safety issues such as when structures beyond their useful life are left on public lands at the end of a lease. This measure will help to alleviate health and safety concerns, increase departmental revenue, and mitigate against future liability issues by allowing the Board of Land and Natural Resources to update lease terms and conditions upon extension of the lease.

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.

Your Committee notes that the Department of Land and Natural Resources shall not be required to impose current lease terms and conditions for lease extensions until this measure is enacted.

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. 3158, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3158, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2322 Water and Land on S.B. No. 3160

The purpose and intent of this measure is to establish a statutory framework for inspections of public land leases, licenses, and revocable permits by 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 one individual.

Your Committee finds that under chapter 171, Hawaii Revised Statutes, and the various land dispositions approved by the Board of Land and Natural Resources, the Department of Land and Natural Resources (Department) has the authority to periodically inspect the premises under lease, license, or revocable permit. However, the Department land agents are typically not architects, engineers, or licensed contractors and may not be qualified to identify components of existing structures on the premises in need of repair or replacement. The House Investigative Committee, established under House Resolution No. 164 of the 2021 Regular Session, recommended that the Department require lessees to pay for third-party inspectors selected by the Department to conduct physical inspections of the leased property every five years. If the third-party inspector finds any defaults with the lease terms, the lessee shall be required to take any corrective actions recommended by the inspector. This measure will conserve the Department's limited funds by avoiding situations where a lease, license, or revocable permit expires or is terminated with dilapidated improvements on it.

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. 3160, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3160, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2323 (Joint) Water and Land and Public Safety and Intergovernmental and Military Affairs on S.B. No. 2842

The purpose and intent of this measure is to establish the Wildfire Safety Advisory Board within the Department of Land and Natural Resources to advise and make recommendations to state agencies concerning the State's wildfire safety and prevention efforts.

Your Committees received testimony in support of this measure from the Honolulu Fire Department, State Fire Council, Democratic Party of Hawai'i, and one individual.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees received comments on this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development, and Public Utilities Commission.

Your Committees find that the State recognizes the increasing threat of wildfires to its communities, natural resources, and economy and that the State is committed to proactively addressing this growing challenge through comprehensive and collaborative growth. This measure will address the State's wildfire preparedness by establishing the Wildfire Mitigation Working Group to advise and make recommendations to state agencies concerning the State's wildfire safety and prevention efforts.

Your Committees have amended this measure by:

- (1) Deleting its contents and inserting language that:
 - (A) Establishes a Wildfire Mitigation Working Group to develop a State Wildfire Mitigation Plan and to advise and make recommendations to state agencies concerning the State's wildfire safety and prevention efforts, to be dissolved on December 31, 2026; and
 - (B) Makes an appropriation; and
- (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 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. 2842, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2842, 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.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 2324 Water and Land on S.B. No. 2035

The purpose and intent of this measure is to reform the decision-making process of the Land Use Commission.

Your Committee received testimony in support of this measure from the Grassroot Institute of Hawaii.

Your Committee received testimony in opposition to this measure from the Land Use Commission, Office of Hawaiian Affairs, and Hawaii's Thousand Friends.

Your Committee finds that delays in permitting and approvals substantially increase the time and cost to build new housing, leading to uncertainty and expense that disincentivizes development. Your Committee further finds that the State's average delay in the permit and approval process is three times the length of the national mean. This measure will expedite the permit and approval process and help address the State's excessive permit and approval times.

Your Committee has amended this measure by:

- (1) Retaining statutory language requiring the Land Use Commission to hear a petition within one hundred eighty days of its proper filing and to render a decision on a petition within three hundred sixty-five days of its proper filing;
- (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. 2035, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2035, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2325 Water and Land on S.B. No. 2153

The purpose and intent of this measure is to:

- (1) Repeal requirements for lessees to seek approval for lease extensions from the Board of Land and Natural Resources; and
- (2) Require the Department of Land and Resources to utilize the current tax assessed value for lease extensions.

Your Committee received testimony in support of this measure from one member of Hawai'i County Council, Hawaiian Electric, and McCully Works.

Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, League of Women Voters of Hawaii, and UNITE HERE Local 5.

Your Committee finds that the State has a fiduciary duty to manage state lands in the best interests of the public by enhancing state revenues and promoting the social, environmental, and economic well-being of Hawaii's people. 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. However, under existing laws, many public land lessees are subject to the Board of Land and Natural Resources' lengthy approval processes for lease extensions and renegotiations, small maintenance projects, and major renovations. Your Committee also finds that lessees improve their lands and revitalize the areas in which their lands are located. This measure will incentivize lessees to continue doing so by streamlining the lease extension process.

Your Committee has amended this measure by:

- (1) Clarifying that the Board of Land and Natural Resources shall retain oversight over lease extension applications;
- (2) Clarifying that the Board of Land and Natural Resources may only eliminate any restrictions specified in section 171-36(a), Hawaii Revised Statutes;
- (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. 2153, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2153, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Elefante, McKelvey, Fevella). Noes, none. Excused, none.

SCRep. 2326 (Joint) Water and Land and Hawaiian Affairs on S.B. No. 2165

The purpose and intent of this measure is to appropriate funds to the State Historic Preservation Division of the Department of Land and Natural Resources to inventory historic properties and burial sites located in the State and conduct relevant archaeological surveys necessary to compile the inventory.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Historic Hawai'i Foundation; Ho'omana Pono, LLC; Society for Hawaiian Archaeology; and six individuals.

Your Committees received comments on this measure from one individual.

Your Committees find that comprehensive statewide inventories of historic properties and burial sites are critical to managing these properties and sites in Hawaii, but the State Historic Preservation Division of the Department of Land and Natural Resources does not receive sufficient funding to create and maintain comprehensive, accurate inventories. The absence of comprehensive statewide inventories delays project planning since developers, planners, and state and county agencies lack vital information regarding the locations of historic properties and burial sites, thereby delaying projects or impacting their planning processes. This measure will expedite development projects by appropriating 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 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. 2165, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2165, 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, McKelvey).

Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Richards).

SCRep. 2327 Water and Land on S.B. No. 2167

The purpose and intent of this measure is to appropriate additional operational funds to the Department of Land and Natural Resources for the protection, management, and restoration of the State's natural resources.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Reef and Ocean Coalition; Climate Protectors Hawaii; Kingdom Pathways; Care for 'Aina Now Coalition; Hawai'i Forest Industry Association; Surfrider Foundation, Maui Chapter; Hyperspective Studios, Inc.; and fourteen individuals.

Your Committee finds that Hawaii's natural resources are the State's lifeblood, providing the essentials for the community to thrive and the foundation for Hawaii's economy. Investments in the protection of natural resources, including wetlands and coral reefs, can enhance the resilience of communities to natural disasters as natural buffers, saving lives and reducing the financial burden. This measure will allow the State to take a proactive approach to save lives, prevent natural disasters such as wildfires, and mitigate costs due to disaster response and recovery 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 Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2167, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2167, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2328 (Joint) Water and Land and Hawaiian Affairs on S.B. No. 2295

The purpose and intent of this measure is to establish an inter-division program within the Department of Land and Natural Resources consisting of the State Historic Preservation Division, Land Division, Office of Conservation and Preservation Division, Office of Conservation of Coastal Lands, Island Burial Councils, and Office of Hawaiian Affairs to address:

- (1) The location of Hawaiian burial sites; and
- (2) The safe movement and restoration of iwi that are exposed or likely to be exposed due to coastal erosion.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs, Society for Hawaiian Archaeology, and five individuals.

Your Committees received comments on this measure from the Department of Land and Natural Resources and one individual.

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 are 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. 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 Committees have amended this measure by:

- (1) Changing the reference of “container” to “hana‘i” in the legislative findings;
- (2) Adding Aha Moku to the groups that shall develop the inter-division;
- (3) Inserting language clarifying that lineal or cultural descendants must approve of the relocation of iwi;
- (4) Removing language that would have required the inter-division to develop policies and procedures to protect iwi and burial sites that have not been relocated or that have been relocated;
- (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 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. 2295, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2295, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 3. Noes, none. Excused, 2 (Chang, McKelvey).

Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Richards).

SCRep. 2329 Water and Land on S.B. No. 2546

The purpose and intent of this measure is to require hunting guides to:

- (1) Obtain written permission from the owners of private lands before taking their clients to hunt on the private land; and
- (2) Submit a copy of the written permission to the Department of Land and Natural Resources as part of their annual reports.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawai‘i Farm Bureau; Hawaii Cattleman’s Council, Inc.; and one individual.

Your Committee finds that some hunting guides take their clients to hunt on private lands without obtaining permission from landowners, leading concerned landowners to report sightings of unknown persons walking on their land with guns or other weapons. Existing law prohibits hunters from hunting on private lands without first obtaining permission from the owner, but 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. This measure will alleviate the concerns of landowners by holding hunting tour guides accountable.

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. 2546, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2546, 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. 2330 Water and Land on S.B. No. 2759

The purpose and intent of this measure is to prohibit the State from leasing any public lands, or extending the lease of any public lands, to any individual, corporation, or federal agency that is not in good standing with the State or that has not met all financial, contractual, and legal obligations.

Your Committee received testimony in support of this measure from the Native Hawaiian Legal Corporation, Sierra Club of Hawai‘i, and Hawai‘i Peace and Justice.

Your Committee received testimony in opposition to this measure from the Hawaii Military Affairs Council and Hawaii Harbors Users Group.

Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Transportation, and one individual.

Your Committee finds that most landlords require their tenants to be in good standing, especially before renewing a lease. This includes ensuring that the tenant has met all financial, contractual, and legal obligations. Your Committee also finds that, as a landlord, the State should ensure that all of its lessees meet these obligations, whether the lessees are private individuals, corporations, or the federal government. Furthermore, the State should exercise its right to terminate a lease when a lessee engages in criminal activity on the property. This measure will ensure that lands leased by the State is in good hands by prohibiting the State from leasing land to tenants that do not fulfill their legal obligations.

Your Committee has amended this measure by:

- (1) Specifying that the lease restrictions shall also encompass certain state land excepted in section 171-72, Hawaii Revised Statutes;
- (2) Deleting language that would have reimbursed money to the State for the increased cost of consumer goods in Hawaii pursuant to title 46 United States Code sections 861-889, in an amount determined by the Office of the Governor;
- (3) Exempting leases and dispositions made by the Department of Transportation from this measure;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 2759, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2759, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (McKelvey). Noes, none. Excused, none.

SCRep. 2331 Water and Land on S.B. No. 2835

The purpose and intent of this measure is to amend the definition of "historic property" to include buildings and structures that are registered on the Hawaii Register of Historic places, objects, districts, areas, or sites that predate August 21, 1959.

Your Committee received testimony in support of this measure from NAIOP Hawaii, Hawai'i Association of REALTORS, and Hawai'i YIMBY.

Your Committee received testimony in opposition to this measure from the Historic Hawai'i Foundation and Society for Hawaiian Archaeology.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that currently, the backlog of historic reviews is encumbering permits throughout the State. Reviews by the State Historic Preservation Division of the Department of Land and Natural Resources are significantly slowing down the permitting process and adding costs and delays to a substantial number of projects. Consequently, much needed housing, economic development, and critical infrastructure projects often face significant delays in permit approvals and project implementation, which result in decreased economic and construction activity and the delivery of housing units. This measure will address delays in the development of affordable housing and critical infrastructure in the State due to the significant backlog of much-needed projects awaiting review by the State Historic Preservation Division.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2835, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2835, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2332 Education on S.B. No. 2937

The purpose and intent of this measure is to repeal the sunset date for the exemption of laboratory school programs of the College of Hawaiian Language at the University of Hawaii at Hilo from state English-medium standards, assessments, performance ratings, staff qualifications, and staff training requirements.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning; University of Hawai'i System; Ke Kula 'O Nāwahīokalani'ōpu'u Iki Lab Public Charter School; Hawai'i Children's Action Network Speaks!; 'Aha Pūnana Leo, Inc.; Kūpuna for the Mo'opuna; and twenty-four individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that Act 315, Session Laws of Hawaii 1997, established Ka Haka 'Ula O Ke'elikōlani, the College of Hawaiian Language, at the University of Hawaii at Hilo. Since its inception, Ka Haka 'Ula O Ke'elikōlani now includes four kindergarten through grade twelve public charter schools and 'Aha Pūnana Leo's Hawaiian language medium preschools. As a leader in the establishment of professional development for Hawaiian language medium school teachers, including training in proficiency of

Hawaiian language, pedagogy, assessment, family engagement, and curriculum, Ka Haka 'Ula O Ke'elikōlani was designated as the inaugural National Native American Language Resource Center to continue its critical work, in partnership with 'Aha Pūnana Leo, of developing standards, curriculum, teacher training, and assessments for Hawaiian language medium education and Native American Language communities nationwide. This measure ensures the continuity of ongoing work by Ka Haka 'Ula O Ke'elikōlani while ensuring affiliated teachers and staff are appropriately educated, trained, assessed, and reviewed accordingly.

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. 2937 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 (Richards).

SCRep. 2333 Education on S.B. No. 3305

The purpose and intent of this measure is to require all public charter schools that offer prekindergarten programs exclusively to adhere to the provisions of chapter 302D, Hawaii Revised Statutes, with certain exceptions.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, State Public Charter School Commission, and Hawai'i Children's Action Network Speaks!.

Your Committee finds that the demand for high quality prekindergarten programs is outpacing available enrollment in existing programs. In 2023, the State established the Ready Keiki Initiative, led by the Office of the Lieutenant Governor, to prioritize the expansion and accessibility of prekindergarten programs to provide affordable programs for Hawaii's youngest keiki. This measure continues the mandate established by the Ready Keiki Initiative while ensuring effective operations at the State's public prekindergarten charter schools.

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. 3305 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 (Richards).

SCRep. 2334 Education on S.B. No. 2476

The purpose and intent of this measure is to authorize licensed dental hygienists to perform preventative dental sealant screenings and apply dental sealants on individuals, under certain conditions, in a Department of Education school-based oral health program.

Your Committee received testimony in support of this measure from the Department of Education, Board of Dentistry, University of Hawai'i System, Department of Health, Hawai'i Children's Action Network Speaks!, Hawaii Dental Hygienists' Association, Hawaii Dental Service, Hawai'i Oral Health Coalition, AlohaCare, Hawaii Dental Association, and forty-two individuals.

Your Committee finds that dental sealants applied to chewing surfaces of molars are the most effective preventative strategy for tooth decay. In the 2022-2023 school year, the Seal Away Decay program provided oral screenings to more than two thousand second grade students in sixty-eight schools on Oahu, Maui, and Kauai. Of the screened students, sixty percent received sealants and sixty-five students were referred to a dentist for urgent care. Additionally, the Hawaii Keiki: Healthy and Ready to Learn Program, a partnership between the Department of Education and the Nancy Atmospera-Walch School of Nursing at the University of Hawaii at Manoa, places school nurses and health technicians throughout public schools to coordinate dental health services, including screenings and preventative sealant clinics. Your Committee further finds that providing dental sealants through school-based oral health programs is a cost-effective strategy to reach low-income children, who are at a higher risk of developing tooth decay. Therefore, this measure takes a proactive approach to childhood tooth decay by expanding and improving access to oral health care for Hawaii's keiki.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2476 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 (Richards).

SCRep. 2335 Judiciary on S.B. No. 2556

The purpose and intent of this measure is to permanently establish and appropriate moneys for the Community Outreach Court as a division of the District Court of the First Circuit.

Your Committee received testimony in support of this measure from the Judiciary, Department of Law Enforcement, Statewide Office on Homelessness and Housing Solutions, Office of the Public Defender, Hawai'i Health and Harm Reduction Center, ACLU of Hawai'i, and National Alliance on Mental Illness Hawaii.

Your Committee received comments on this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that many homeless persons who receive citations for nonviolent crimes are unable to attend court or have misplaced their paperwork due to the transient and unstable nature of homelessness, which leaves the courts no option but to issue a bench warrant. Bench warrants can be traumatic for the defendant and expends law enforcement officers' time and resources. To help address this, the Judiciary, Office of the Public Defender, and Department of the Prosecuting Attorney of the City and County of Honolulu established a Community Outreach Court project to make court appearances more accessible to homeless persons. Since its

inception, the program has addressed more than ten thousand cases, recalled more than nine hundred bench warrants, lifted more than six thousand driver license stoppers, and assisted more than six hundred participants with social services or referrals. This program removes some of the many barriers that homeless people face when trying to secure basic necessities such as employment, income assistance, and housing.

Your Committee has amended this measure by:

- (1) Clarifying that the Community Outreach Court shall foster cooperation between the prosecuting attorney and the public defender, not a defense attorney, to resolve cases;
- (2) Deleting language that would have required the Supreme Court to adopt rules regarding the administration, operation, and procedures of the Community Outreach Court; 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. 2556, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2556, 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. 2336 Housing on S.B. No. 2563

The purpose and intent of this measure is to:

- (1) Require the Hawaii Public Housing Authority (HPHA) to allow any resident of a public housing project or state low-income housing project to keep one or more pet animals in the resident's unit, subject to applicable state laws, county ordinances, and any reasonable conditions;
- (2) Provide that HPHA may charge a refundable deposit for each pet animal but shall not impose a monthly pet fee or pet rent; and
- (3) Allow HPHA to remove a vicious animal to protect persons or property.

Your Committee received testimony in support of this measure from Pōpoki Place O'ahu Cat Sanctuary, Hawaiian Humane Society, Human Animal Support Services, Humane Society of the United States, Animal Interfaith Alliance, Aloha Kitty TNR, and eleven individuals.

Your Committee received comments on this measure from the Hawaii Public Housing Authority.

Your Committee finds that the State currently has a large homeless population. A major reason a portion of the homeless population does not seek to utilize state public housing is the restriction regarding pets. Many of these individuals cared for their animals during trying times in their lives, and the separation from or the surrender of their pets poses too much of a challenge or mental strain, thereby discouraging the use of housing programs. This measure adjusts the current restrictions and allows pets within public housing, pursuant to certain restrictions that are less strenuous than the current requirements.

Your Committee has amended this measure by:

- (1) Inserting a general fund appropriation in an unspecified amount to establish two full-time equivalent (2.0 FTE) positions to enforce the pet policy established by this measure and to maintain state public housing statewide; and
- (2) Making 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. 2563, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2563, 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. 2337 (Majority) Housing on S.B. No. 3120

The purpose and intent of this measure is to:

- (1) Establish, exempt from chapter 76, Hawaii Revised Statutes, the position of a Housing Policy and Program Coordinator in the Hawaii Public Housing Authority, whose salary shall be set by the Executive Director of the Hawaii Public Housing Authority (HPHA);
- (2) Clarify that the employment of certain positions and the adjustment of salaries are authorized by the Executive Director and not the Board of Directors of the HPHA; and
- (3) Repeal the wage ceiling requirement for positions in the HPHA.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority.

Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO and one individual.

Your Committee finds that the State has an ambitious mandate to increase the supply of affordable housing units to address its current chronic housing shortage. The HPHA is the state agency tasked with promoting and ensuring the availability of housing, economic opportunity, and suitable living environment for low-income individuals and families. As the HPHA fulfills its ambitious

mandate, the HPHA requires additional staffing resources to research and execute program rules for various state and federal subsidized housing programs. Therefore, this measure clarifies organizational roles within the HPHA to ensure effective, streamlined operations that will support efforts to address the ongoing housing shortage.

Your Committee notes the concerns raised in testimony questioning the need to exempt this proposed position from chapter 76, Hawaii Revised Statutes, if civil service employees already provide the services of the position. According to your Committee's discussion with the HPHA during the public hearing on this measure, existing positions within the HPHA are also exempt from civil service requirements. Additionally, the requirements of the proposed Housing Policy and Program Coordinator are specialized, as the role will need a candidate with experience in the Section 8 program, the federal low-income public housing program, the Moving-to-Work Demonstration Program and other subsidized housing programs. This position, therefore, does not fit into an existing civil service class. The HPHA further noted that civil service employees do not currently perform the work of the proposed position.

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. 3120, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3120, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 2338 Transportation and Culture and the Arts on S.B. No. 2194

The purpose and intent of this measure is to establish the felony offenses of misuse of unmanned aircraft in the 1st, 2nd, and 3rd degrees.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that the proliferation of technology has innovated aspects of daily life. However, certain technology such as unmanned aircraft, colloquially known as drones, have been utilized in the transfer of contraband into correctional facilities and interference with aircraft. As operators of unmanned aircraft operate the device from a distance, finding and identifying the individual remains a challenge for the law enforcement community. Therefore, this measure will increase public safety and security while establishing greater accountability and consequences for unmanned aircraft operators.

Your Committee has amended this measure by:

- (1) Replacing the term "unmanned aircraft" with "uncrewed aircraft"; and
- (2) Clarifying that the offense of misuse of uncrewed aircraft in the first, second, and third degrees do not apply to any adult corrections officer or correctional worker acting within the course and scope of their duties.

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. 2194, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2194, 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. 2339 Transportation and Culture and the Arts on S.B. No. 2857

The purpose and intent of this measure is to establish a five-year income tax credit for general excises taxes paid on qualified aircraft service and maintenance expenses of the qualified taxpayer.

Your Committee received testimony in support of this measure from the Aircraft Owners and Pilots Association and Helicopter Association International.

Your Committee received comments on this measure from the Department of Taxation, Department of the Attorney General, and the Tax Foundation of Hawaii.

Your Committee finds that the aviation industry plays many significant roles in the State, including without limitation, the first responders flown by air to remote areas in a disaster, the effective use of air medical transports, ocean and forest search and rescue operations conducted by helicopter, helicopters used in emergency services for state or federal disaster, and electric utility operators that perform surveys and maintain powerlines. Your Committee further finds that aircraft service and maintenance was critical in the wildfire relief efforts during the August 2023 Maui wildfires. This measure will support aviation servicing and the aviation industry by establishing an income tax credit.

Your Committee has amended this measure by:

- (1) Clarifying the qualifications for the tax credit to be based on qualified gross income;
- (2) Deleting the definition for "qualified expenses";
- (3) Adding definitions for "qualified gross income", "qualified taxpayer", and "wildfire relief efforts";
- (4) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation 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. 2857, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2857, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2340 Transportation and Culture and the Arts on S.B. No. 2450

The purpose and intent of this measure is to authorize the Department of Transportation to weigh any ocean transport container offloaded at any harbor in the State and fine any company that offloads an ocean transport container having an excessive gross weight.

Your Committee received comments on this measure from the Department of Transportation and Matson Navigation Company, Inc.

Your Committee finds that thousands of pounds of cargo enter the State's ports on a daily basis, providing essential goods ranging from food and supplies to commodities. As an island state, Hawaii is dependent upon commercial harbors to ensure the continued and unimpeded flow of cargo through the State. This measure establishes safeguards for offloaded cargo to continue effective, timely operations at the State's 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. 2450, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2450, 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. 2341 Transportation and Culture and the Arts on S.B. No. 2965

The purpose and intent of this measure is to authorize the Public Utilities Commission to establish a discounted rate by tariff for water carriers that engage in the interisland transport of hydrogen.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs Division of Consumer Advocacy; Hawaii State Energy Office; Public Utilities Commission; Hawai'i Gas; and Young Brothers, LLC.

Your Committee finds that hydrogen can be produced from diverse domestic resources with the potential for near-zero greenhouse gas emissions. Your Committee further finds that when used to power highly efficient fuel cell electric vehicles, hydrogen has enormous potential for strengthening national energy security, conserving petroleum, and diversifying the State's transportation energy options for a more resilient system. This measure will further the State's climate change mitigation commitment by allowing decreased tariffs for water carriers that engage in the interisland transport of hydrogen.

Your Committee has amended this measure by:

- (1) Clarifying that only the transport of hydrogen produced from renewable sources is eligible for the discounted rate by tariff for water carriers; and
- (2) Making 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. 2965, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2965, 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. 2342 (Majority) Transportation and Culture and the Arts on S.B. No. 2342

The purpose and intent of this measure is to change the penalties for violations of certain traffic laws and required motor vehicle insurance minimums.

Your Committee received testimony in support of this measure from the Department of Transportation and Hawaii Association for Justice.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender and State Farm Mutual Automobile Insurance Company.

Your Committee received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs; Hawaii Insurers Council; and Turo.

Your Committee finds that traffic fatalities and injuries in Hawaii have increased, with 2022 having a record high of one hundred seventeen traffic fatalities and five hundred seventy serious traffic-related injuries. Your Committee recognizes that these tragic events demonstrate the need for greater safeguards and deterrents to improve street safety and better protect Hawaii's residents. This measure will reduce traffic fatalities and injuries by increasing penalties for individuals who continue to violate traffic laws.

Your Committee has amended this measure by:

- (1) Inserting unspecified insurance and penalty amounts;

- (2) Adding language directing the Insurance Commissioner to solicit rate filings from motor vehicle insurers to reflect the amendments by this measure;
- (3) Inserting an effective date of January 1, 2025; 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. 2342, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2342, S.D. 1, and be referred to your Committees on Judiciary and Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Inouye). Noes, 1 (Awa). Excused, none.

SCRep. 2343 (Majority) Transportation and Culture and the Arts on S.B. No. 2348

The purpose and intent of this measure is to:

- (1) Provide that any photo red light imaging detector system's clear and unobstructed recorded image of a motor vehicle license plate shall be prima facie evidence that the motor vehicle to which the license plate is attached is the motor vehicle for which the license plate was issued; and
- (2) Require the State, the county, or the State's or county's third party contractor to implement a process to record the date on which the summons or citation was submitted to the post office, which shall be prima facie evidence of the date the summons or citation was submitted to the post office.

Your Committee received testimony in support of this measure from the Department of Transportation and Disability and Communication Access Board.

Your Committee finds that red-light running is a significant cause of crashes, deaths, and injuries at signalized intersections, and between 2015 and 2020 there have been 1,879 crashes as a result of red-light and other traffic signal violations in the State. Your Committee further notes that federal data suggests that automated traffic enforcement can reduce costs of enforcement, lessen the danger of enforcement for officers, and increase the perception of drivers that there are consequences to violating traffic laws. This measure will decrease traffic accidents thereby creating safer streets and free law enforcement from the time consuming duties of traffic enforcement.

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 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. 2348, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2348, 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. 2344 Transportation and Culture and the Arts on S.B. No. 2445

The purpose and intent of this measure is to require the Department of Transportation to identify an emergency egress route other than Komo Mai Drive from Pacific Palisades or, if no other route can be found, determine the feasibility of constructing an alternate emergency egress route.

Your Committee received testimony in support of this measure from two members of the Pearl City Neighborhood Board and one individual.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that Pacific Palisades is vulnerable to natural disasters such as hurricane winds and flash flooding. The community is built on a plateau above the main portion of Pearl City, with the only access road to the area being Komo Mai Drive, which is a steep, winding, one-lane road with a hairpin turn at the base of Pacific Palisades. Various emergencies, including water main breaks, felled trees, hostage events, flooding, traffic accidents, and police activities have required the closure of Komo Mai Drive and left the residents of Pacific Palisades unable to return home or leave their neighborhood, forcing them to wait hours for the road to open. This measure will provide residents of Pacific Palisades with an alternate route to escape in the event of an emergency or natural disaster.

Your Committee has amended this measure by inserting an effective date of January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Transportation 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. 2445, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2445, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2345 Transportation and Culture and the Arts on S.B. No. 2819

The purpose and intent of this measure is to require slow-moving vehicles on a two-lane highway, behind which five vehicles are formed in a line, to pull over where possible to let the trailing vehicles proceed when passing is unsafe.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that in 2022, Hawaii was ranked in the top ten states in the country for bad driving, citing data on DUIs, accidents, citations, and speeding tickets. Your Committee further finds that traffic safety and congestion has been a key frustration for residents in the State. This measure will improve operational efficiency and minimize road rage statewide by managing traffic flow.

Your Committee has amended this measure by:

- (1) Adding language to clarify that cars are only required to move off the roadway at the nearest safe location; and
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Transportation 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. 2819, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2819, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2346 (Majority) Transportation and Culture and the Arts on S.B. No. 2889

The purpose and intent of this measure is to appropriate additional funds to monitor excessive traffic noise in urban areas in the State.

Your Committee received no testimony on this measure.

Your Committee finds that noise pollution, particularly excessive traffic noise, is often cited as an issue in urban areas within the State. Your Committee further finds that, while several bills have been passed, including Act 63, Session Laws of Hawaii 2023, more resources are needed to successfully address persistent noise pollution. This measure allows for the implementation of the Noise Detection Traffic Camera Program.

Your Committee has amended this measure by:

- (1) Allowing, rather than requiring, the Department of Transportation to establish a program to use noise detection traffic cameras;
- (2) Repealing the appropriation of funds out of the State Highway Fund made for the purposes of Act 63, Session Laws of Hawaii 2023;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on 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. 2889, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2889, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 2347 Transportation and Culture and the Arts on S.B. No. 2895

The purpose and intent of this measure is to exclude from the Motor Carrier Safety Law's definition of "motor carrier vehicle" chassis used to transport shipping containers.

Your Committee received testimony in support of this measure from the General Contractors Association of Hawaii; Hawaii Harbors Users Group; Matson Navigation Company, Inc.; Retail Merchants of Hawaii; and Young Brothers, LLC.

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

Your Committee finds that, as an island state, Hawaii relies significantly on cargo processed at state harbors, accounting for ninety percent of all imported goods statewide. Shipping container chassis are used to transport cargo on the State's roadways, delivering food, supplies, and other commodities to Hawaii's people. The unimpeded, reliable flow of goods at state commercial harbors ensures the timely delivery and accessibility of various goods and services statewide.

Your Committee notes the concerns raised by the Department of Transportation regarding regulatory incompatibility that may jeopardize future federal funding. Your Committee also notes that the companion to this measure, House Bill No. 1578, H.D. 1 (Regular Session of 2024) (H.B. 1578, H.D. 1), is a similar measure that permits a shipping container chassis that holds a valid out-of-state certificate of vehicle registration to obtain a certificate of safety inspection. Additionally, H.B. No. 1578, H.D. 1, also authorizes an out-of-state registration for a shipping container chassis valid in the State until its expiration in the other state or for one year after a vehicle safety inspection. Your Committee concludes that the language in H.B. No. 1578, H.D. 1, is preferable because the language remains consistent with existing regulations while ensuring the continued safety and roadworthiness of shipping container chassis utilized statewide.

Accordingly, your Committee has amended this measure by deleting its contents and inserting the contents of H.B. No. 1578, H.D. 1, a measure that:

- (1) Permits a shipping container chassis that holds a valid out-of-state certificate of vehicle registration to obtain a certificate of safety inspection; and

- (2) Makes an out-of-state registration for a shipping container chassis valid in the State until its expiration in the other state or for one year after a vehicle safety inspection.

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. 2895, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2895, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2348 (Majority) Transportation and Culture and the Arts on S.B. No. 2630

The purpose and intent of this measure is to authorize pedestrians to act contrary to the statewide traffic code when a reasonably careful pedestrian would determine that there is no immediate danger of a collision with a moving vehicle.

Your Committee received testimony in support of this measure from one member of the Kaua'i County Council, Grassroot Institute of Hawaii, Hawai'i Appleseed Center for Law and Economic Justice, Hawai'i Bicycling League, Hawai'i Public Health Institute, Our Revolution Hawaii, and eight individuals.

Your Committee received testimony in opposition to this measure from the Department of Transportation, the Department of Law Enforcement, and Honolulu Police Department.

Your Committee received comments on this measure from the Department of Health and one individual.

Your Committee finds that current statutes in Hawaii relating to pedestrians are needlessly restrictive. Fines for pedestrians can have a disproportionate impact on people who do not drive and who primarily rely upon walking as a means of transportation. Your Committee additionally finds that the judgment of pedestrians can be more effective in mitigating injuries than traffic lights or street markings, and thus 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 and encourage more people to walk.

Your Committee has amended this measure by:

- (1) Adding language that will limit the exemption to pedestrians who are more than two hundred feet from a marked crosswalk;
- (2) Adding language that requires that any person that drives a motor vehicle at a speed greater than the speed limit be fined not less than \$100;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation 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. 2630, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2630, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Elefante). Excused, none.

SCRep. 2349 Transportation and Culture and the Arts on S.B. No. 2945

The purpose and intent of this measure is to require the Department of Transportation to select multiple certified vendors to install ignition interlock devices.

Your Committee received testimony in support of this measure from Intoxalock.

Your Committee received testimony in opposition to this measure from the Mothers Against Drunk Driving Hawaii and Smart Start, LLC.

Your Committee received comments from the Department of Transportation.

Your Committee finds that for many years, Hawaii has been one of the worst states in the nation in terms of the percent of total fatal traffic crashes that are alcohol related and that ignition interlock devices have been a proven means to stop intoxicated persons from driving. However, as your Committee notes, current law mandates that only a single vendor be selected by the Department of Transportation to implement the Statewide Ignition Interlock Program, depriving users of selecting ignition interlock devices based on product quality, features, and maintenance. This measure therefore will promote consumer choice, competition, and geographic availability of ignition interlock devices.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting language that establishes a task force to conduct a statewide study on the accessibility of ignition interlock devices and any national best practices; and
- (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. 2945, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2945, 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. 2350 Transportation and Culture and the Arts on S.B. No. 3218

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.

Your Committee finds that while Keawalau o Puuloa, also known as Puuloa or Pearl Harbor, was once an abundant water resource, it has been exposed and contaminated with toxic chemicals and materials that have harmed the local ecosystems. Your Committee further finds that Malama Puuloa, a 501(c)(3) nonprofit organization established in 2015 with a mission to restore Puuloa to abundance, has shown dedication to community environmentalism through their work including education, partnerships with the community, land-based programs, and involving over ten thousand volunteers committed to their work. This measure will promote the organization's legacy of natural resource management, perpetuation of Native Hawaiian culture, and environmentalism by authorizing a special number plate to recognize the significance and impact of Malama Puuloa.

Your Committee has amended this measure by:

- (1) Adding language to limit the special number plate design to four and a half inches in height by four and a half inches in width;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on 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. 3218, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3218, 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. 2351 Transportation and Culture and the Arts on S.B. No. 2690

The purpose and intent of this measure is to prohibit any person convicted of operating a vehicle under the influence of an intoxicant or habitually operating a vehicle under the influence of an intoxicant from purchasing or publicly consuming alcohol for a certain period.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee received comments on this measure from the Department of the Attorney General and Mothers Against Drunk Driving Hawaii.

Your Committee finds that Hawaii has a significantly higher percentage of adults who report driving after drinking in the past thirty days compared to the national average. However, your Committee notes that while there are current driving-related restrictions in place, previous offenders may still purchase and drink alcohol in public spaces. This measure therefore will reduce public drinking for any person previously convicted of driving under an intoxicant and increase traffic, road, and pedestrian safety.

Your Committee has amended this measure by:

- (1) Removing language that would have provided for certain requirements and an expiration date for a license issued to a person whose license is revoked by the Administrative Driver's License Revocation Office;
- (2) Clarifying that an identification card issued to an individual who has been convicted for a violation of section 291E-61 or 291E-61.5, Hawaii Revised Statutes, and is prohibited from purchasing or publicly consuming liquor shall be valid for a restriction period commencing on the date of revocation or conviction, whichever is earlier, and ending on the end date of the revocation period;
- (3) Changing references to "probation period" to "restriction period";
- (4) Changing references to "driver's license" to "license", where appropriate;
- (5) Making conforming amendments to related statutory sections;
- (6) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 2690, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2690, 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. 2352 Transportation and Culture and the Arts on S.B. No. 3243

The purpose and intent of this measure is to:

- (1) Prohibit foreign entities and foreign-influenced business entities from making contributions, expenditures, electioneering communications, or donations for election purposes;
- (2) Require every business entity that contributes or expends funds in a state election to file a statement of certification regarding its limited foreign influence; and
- (3) Require noncandidate committees making only independent expenditures to obtain a statement of certification from each top contributor required to be listed in an advertisement.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Center for American Progress, Free Speech for People, International Longshore and Warehouse Union Local 142, League of Women Voters of Hawaii, and more than one hundred seventy 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 further finds that corporations and similar entities have a fiduciary responsibility to their shareholders, including investors around the world, and generally prioritize the interests of shareholders, which may diverge substantially from the interests of the people of Hawaii and the United States. This measure will protect and strengthen the integrity of Hawaii's democratic self-governance by preventing foreign influence on the State's elections.

Your Committee has amended this measure by making it effective on January 1, 2026.

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. 3243, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3243, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2353 Transportation and Culture and the Arts on S.B. No. 2680

The purpose and intent of this measure is to prohibit the charging of a fee for a motor vehicle lessee's spouse by a lessor under certain conditions.

Your Committee received comments on this measure from Avis Budget Group and Enterprise Mobility.

Your Committee finds that recently hidden fees exacted by companies on consumers has increased dramatically, with even the Federal Trade Commission proposing new restrictions on fees across all industries, from hotels to ticket sellers to car rental companies. Your Committee further finds that tourism industries are increasingly resorting to hidden fees to recoup losses accrued during the coronavirus disease 2019 pandemic. This measure will prevent additional excessive fees by car rental companies and protect consumers from overpaying on hidden fees.

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. 2680 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. 2354 Transportation and Culture and the Arts on S.B. No. 2735

The purpose and intent of this measure is to require:

- (1) Driver's license examinations to test the applicant's knowledge of the dangers that larger motor vehicles present to pedestrians; and
- (2) Offenders who are found to be excessively speeding or driving while intoxicated to retake and pass their driver's license examination for each offense.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that that vehicles with a hood height greater than forty inches are forty-five percent more likely to cause dangerous accidents for pedestrians because these features are more likely to kill pedestrians. Your Committee further finds that possible penalties for excessive speeding and driving while intoxicated are fines or license suspension in a tiered-system, which may encourage drivers to be more responsible. This measure will reduce motor vehicle fatalities and injuries by deterring dangerous driving behaviors.

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. 2735 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. 2355 Transportation and Culture and the Arts on S.B. No. 3065

The purpose and intent of this measure is to appropriate special funds to Department of Transportation programs to pay for anticipated operating shortfalls due to the limited ability to transfer funds between programs.

Your Committee received testimony in support of this measure from the Department of Transportation and Department of Budget and Finance.

Your Committee finds that Act 164, Session Laws of Hawaii 2023, did not contain boilerplate provisions that are generally included in the General Appropriations Act that provide the Governor with authority to transfer funds for operating purposes. Your Committee further finds that because this authority was removed, the Department of Transportation currently faces an operating budget shortfall. This measure will provide a budget-neutral way for the Department of Transportation to address its operating shortfalls and ensure continued departmental services and operations.

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. 3065 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. 2356 Transportation and Culture and the Arts on S.B. No. 3069

The purpose and intent of this measure is to make an emergency appropriation to provide special funds for disbursements of moneys in the Mass Transit Special Fund.

Your Committee received testimony in support of this measure from the Department of Budget and Finance.

Your Committee finds that the Department of Budget and Finance was unable to disburse all the available moneys for the Mass Transit Special Fund in fiscal year 2022-2023. Your Committee additionally finds that based on the estimated revenues for the Mass Transit Special Fund and carryover of the ending cash balance from fiscal year 2022-2023, it is anticipated that there will be a shortfall in special fund ceiling for the Mass Transit Special Fund. This measure will therefore dispense needed funds to benefit the City and County of Honolulu's rail mass transit project.

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. 3069 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. 2357 Transportation and Culture and the Arts on S.B. No. 3179

The purpose and intent of this measure is to:

- (1) Increase the caps for the total contract value for any one capital advancement contract (CAC) and the total aggregate value of CACs in a fiscal year entered by the Department of Transportation with private parties for harbor improvements; and
- (2) Add reporting requirements for the Department of Transportation.

Your Committee received testimony in support of this measure from the Department of Transportation; Matson Navigation Company, Inc.; Hawaii Harbors Users Group; and Young Brothers, LLC.

Your Committee finds that CAC dramatically expedite certain projects at state commercial harbor facilities and increase project efficiencies when private parties lead the projects in a manner that minimizes project impacts on cargo operations. Your Committee further finds that with increased CAC, the Department of Transportation would be able to facilitate improved project delivery. This measure will fast-track desperately needed public improvements to state commercial harbor facilities by accounting for inflation and other rising costs of materials and labor for prioritized projects.

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. 3179 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. 2358 Transportation and Culture and the Arts on S.B. No. 3266

The purpose and intent of this measure is to appropriate funds to the Department of Transportation for vegetation management projects to reduce the risks of wildfires across the State.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of Land and Natural Resources, and two individuals.

Your Committee finds that vegetation management is a valuable method of addressing potentially hazardous conditions to improve public safety. Your Committee further finds that prioritizing vegetation management, particularly along state roadways, is crucial to devising a maintenance schedule to reduce wildland fire fuel loads. This measure will reduce the risk of wildfires throughout the State by appropriating funding for mitigation efforts.

Your Committee has amended this measure by:

- (1) Decreasing the appropriation amount to the Department of Transportation from \$10,000,000 to \$5,000,000;
- (2) Adding language to appropriate \$5,000,000 to the Department of Land and Natural Resources Division of Forestry and Wildlife for vegetation management projects to reduce the risks of wildfires across 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 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. 3266, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3266, 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. 2359 Labor and Technology on S.B. No. 3099

The purpose and intent of this measure is to:

- (1) Reduce the minimum number of years of credited service that qualified Tier 2 Employees' Retirement System members must have to be eligible for vested benefit status for service retirement allowance purposes from ten years to five years; and
- (2) Appropriate funds for investments of the Employees' Retirement System.

Your Committee received testimony in support of this measure from the Office of the Governor; Department of Labor and Industrial Relations; Department of Budget and Finance; Employees' Retirement System Board of Trustees; City and County of Honolulu Department of Human Resources; University of Hawaii Professional Assembly; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee received comments on this measure from the Hawaii Employer-Union Health Benefits Trust Fund.

Your Committee finds that state and county governments in Hawaii are experiencing the tough challenges and difficult impacts of job vacancies. Public sector vacancies impede economic growth and hamper a government's ability to serve the public. This measure will assist state and county employers in recruiting and retaining qualified employees by reducing the Employees' Retirement System vesting requirements.

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. 3099, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3099, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2360 Labor and Technology on S.B. No. 371

The purpose and intent of this measure is to define "incidental and supplemental work" for purposes of specialty contractors under the Contractors Law.

Your Committee received testimony in support of this measure from the Iron Workers Stabilization Fund, Hawaii Sheet Metal Worker's Local Union 293, Hawaii Teamsters 996, Democratic Party of Hawai'i, Democratic Party of Hawai'i Labor Caucus, International Association of Heat and Frost Insulators and Allied Workers Local 132, Ironworkers Local 625, IATSE Local 665, and two individuals.

Your Committee received testimony in opposition to this measure from the General Contractors Association of Hawaii and Pacific Resource Partnership.

Your Committee received comments on this measure from the Contractors License Board.

Your Committee finds that in the construction and trade labor fields, it is important to ensure that the individuals performing work are well trained and highly qualified so that the public may be confident that construction projects are completed in a safe and competent manner. This measure will ensure that unionized workers can remain in their trade, be fairly compensated, and practice their profession in a manner that guarantees their financial well-being and public safety by defining "incidental and supplemental work" in statute.

Your Committee has amended this measure by:

- (1) Changing the percentage of incidental and supplemental work that a specialty contractor licensee may perform from five percent to an unspecified percentage; 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. 371, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 371, 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. 2361 (Joint) Labor and Technology and Judiciary on S.B. No. 2602

The purpose and intent of this measure is to transfer the administration of the Human Trafficking Victim Services Fund from the Department of Labor and Industrial Relations to the Department of the Attorney General.

Your Committees received testimony in support of this measure from the Department of the Attorney General, Department of Labor and Industrial Relations' Office of Community Services, Office of Hawaiian Affairs, Rainbow Family 808, and three individuals.

Your Committees find that when the Human Trafficking Victim Services Fund was created in 2014, it was placed in the Department of Labor and Industrial Relations. Your Committees also find that in 2022 and 2023, the Legislature created within the Department of the Attorney General a new Special Investigations and Prosecution Division that serves as the State's primary prosecutorial unit responsible for prosecuting human trafficking and sex trafficking, and a statewide Human Trafficking Prevention Program to provide services and assistance to victims of human trafficking and commercial sexual exploitation of children. This measure will allow the Special Investigation and Prosecution Division to use the Human Trafficking Victims Services Fund to supplement programs, grants, or purchase of service contracts that support or provide comprehensive services to these victims.

As affirmed by the records of votes of the members of your Committees on Labor and Technology and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2602 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.

Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Ihara).

Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 2362 (Joint) Judiciary and Labor and Technology on S.B. No. 2380

The purpose and intent of this measure is to appropriate moneys for collective bargaining cost items for Judiciary employees and their excluded counterparts.

Your Committees received testimony in support of this measure from The Judiciary and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committees find that in January 2020, the United States Secretary of Health and Human Services declared the coronavirus disease 2019 (COVID-19) pandemic a public health emergency. On March 4, 2020, Governor David Ige issued the first of several emergency proclamations pertaining to the COVID-19 pandemic for the State, with the last of those proclamations expiring on March 25, 2022. Unions representing public employees in the State have been pursuing claims for temporary hazard pay for work performed by government employees during the COVID-19 pandemic pursuant to the hazard pay provisions of the respective collective bargaining agreements. This measure will allow the Judiciary to secure the funding necessary to fulfill its obligation to union members pursuing claims for temporary hazard pay for work performed during the COVID-19 pandemic.

As affirmed by the records of votes of the members of your Committees on Judiciary and Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2380 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, none.

Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Ihara).

SCRep. 2363 Health and Human Services on S.B. No. 3138

The purpose and intent of this measure is to clarify that the definition of "manufactured hemp products" in section 328G-1, Hawaii Revised Statutes, includes hemp products specified in rules adopted by the Department of Health pursuant to section 328G-4, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Health and Hawaiian Choice/Rare Cannabinoid Company.

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

Your Committee finds that the current definition of "manufactured hemp product" in section 328G-1, Hawaii Revised Statutes, inadvertently restricts the Department of Health from adopting new forms of hemp products that are not already in one of the currently allowed ingestible forms such as "tablet, capsule, powder, softgel, gelcap, or liquid". This measure will relieve the Department of Health of this unintentional restriction and will allow the Department to evaluate and consider permitting other hemp product forms.

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. 3138, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3138, 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. 2364 Health and Human Services on S.B. No. 3122

The purpose and intent of this measure is to authorize the Director of Health to issue public health standing orders for patients to self-refer to certain health care screening services.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i Academy of Physician Assistants, Hawai'i Public Health Association, and CARES.

Your Committee received comments on this measure from the Hawaii Medical Service Association and Hawai'i Pacific Health.

Your Committee finds that the State's well-documented physician shortage may restrict patient access to preventative care, resulting in sub-optimal outcomes, increased costs, and decreased quality of life. Your Committee further finds that public health standing orders may help reduce barriers to receiving secondary prevention services. This measure will increase receipt of preventative care, advance population health, move routine care from the examination room directly to the patient, and create more time for providers to address individualized patient care.

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. 3122, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3122, 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 (Awa).

SCRep. 2365 Health and Human Services on S.B. No. 2186

The purpose and intent of this measure is to:

- (1) Establish heightened penalties for the assault and terroristic threatening of health care workers; and
- (2) Clarify the definition of "terroristic threatening" to include the methods of contact.

Your Committee received testimony in support of this measure from the Honolulu Police Department; Hawai'i State Center for Nursing; The Queen's Health System; United Public Workers, AFSCME Local 646, AFL-CIO; Healthcare Association of Hawaii; Waianae Coast Comprehensive Health Center; Hawaii Pacific Health; Big Island Foster Home Operators; Hawai'i Primary Care Association; Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO; Hawaii State AFL-CIO; and six individuals.

Your Committee finds that the risk of assault and terroristic threats to health care workers is increasing statewide and nationally, jeopardizing their safety and well-being. By addressing the definition of "health care workers", clarifying the meaning of terroristic threats to include more forms of contact, and imposing greater penalties to deter assaults against health care workers, this measure fortifies protections to provide safer environments for all medical service workers.

Your Committee has amended this measure by:

- (1) Clarifying the definition of "health care worker" to include employees or contractors of a health care facility or in the home of another, including foster care homes;
- (2) Specifying a person commits the offense of assault in the first degree if a person intentionally or knowingly causes bodily injury to a health care worker who is engaged in the performance of a duty at a health care facility or home of another, including a foster care home;
- (3) Extending the penalties for terroristic threatening to threats against health care workers who are engaged in the performance of duties at a health care facility or home of another, including a foster care home;
- (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. 2186, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2186, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 2366 Health and Human Services on S.B. No. 2483

The purpose and intent of this measure is to appropriate funds and require the Department of Health to administer a three-year pilot program to authorize community health workers to provide outreach, education, training, and navigation services to address the social determinants of health in Ka'u, Hawaii County.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Office of the Mayor of the County of Hawai'i; Office of Housing and Community Development of the County of Hawai'i; Kula no nā Po'e Hawai'i; Ka'u Rural Health Community Association, Inc.; Papa Ola Lokahi; Ka'u Hospital; and five individuals.

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

Your Committee finds that community health workers play a central role in connecting rural, underserved communities with essential programs and services that target social factors of health by addressing issues such as access to health care, prevention,

outreach, and training. Your Committee further finds that community health workers are especially vital in rural areas lacking reliable access to health education, resources, or employment opportunities. This measure improves health care accessibility and promotes community well-being in the Ka'ū district.

Your Committee has amended this measure by:

- (1) Inserting language to require that contracted nonprofit organizations for the pilot program have the capacity to provide culturally competent training and services; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

Your Committee urges advocates of this measure to determine an appropriate amount to be inserted into the appropriation section of this measure so that it can be effectively considered by future committees as this measure advances through the legislative 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. 2483, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2483, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 2367 Health and Human Services on S.B. No. 2797

The purpose and intent of this measure is to create a refundable water catchment income tax credit for a homeowner who installs, places in service, or maintains a water catchment system meeting certain requirements on residential property in the State owned by the homeowner.

Your Committee received testimony in support of this measure from six individuals.

Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that some communities in Hawaii lack access to municipal water infrastructure, leaving residents to rely on water catchment systems that are filled through water subscription services to meet their basic needs. When there is insufficient rainfall, the cost of water delivery services can be significant. Providing a refundable income tax credit for homeowners who install, place into service, or maintain a water catchment system on residential properties could offset certain economic hardships and can help utilize natural resources to decrease strain on main water systems.

Your Committee has amended this measure by:

- (1) Inserting language that limits one tax credit per each water catchment system installed within a five-year 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. 2797, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2797, 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. 2368 Health and Human Services on S.B. No. 3100

The purpose and intent of this measure is to rename the Hawaii Health Corps Program to the Hawaii Rural Healthcare Provider Loan Program.

Your Committee received testimony in support of this measure from the Office of the Governor.

Your Committee received comments on this measure from the University of Hawaii John A. Burns School of Medicine.

Your Committee finds that the Hawaii Health Corps Program was established in 2012 with a focus on encouraging certain health care providers to serve in counties that are experiencing shortages of physicians, physician assistants, and nurse practitioners, with a priority given to rural counties. In 2023, the State launched the Hawaii Healthcare Education Loan Repayment Program (HELP) to provide educational loan debt repayment to qualified health care professionals in the State. Your Committee further finds that due to HELP having an expanded scope and purpose compared to the current Hawaii Health Corps Program, this measure clarifies and renames the existing Hawaii Health Corps Program to better reflect the program's current purposes.

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. 3100, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3100, 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. 2369 Health and Human Services on S.B. No. 2460

The purpose and intent of this measure is to appropriate funds to address the mental health and wellness needs of youth in the State.

Your Committee received testimony in support of this measure from the Department of Health Office of the Public Defender, Hawai'i Youth Services Network, YMCA of Honolulu, Catholic Charities Hawai'i, Hawai'i True Cost Coalition, Hawaii Medical Association, Mental Health America of Hawai'i, Democratic Party of Hawai'i, Opportunity Youth Action Hawai'i and seven individuals.

Your Committee finds that the youth of Hawaii face mental health challenges in more significant numbers than in years past, with depression, substance abuse, and suicidal ideation being top issues. Your Committee further finds a need to address the wellness and mental health of the youth in the State by funding resources with community-based services to ensure youth can gain the necessary tools to manage emotional, behavioral, environmental, financial, intellectual, physical, social, and spiritual health to develop into healthy members of their communities. This measure will therefore help provide increased outreach and intervention to give the State's keiki the care they deserve.

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. 2460 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. 2370 (Joint) Labor and Technology and Public Safety and Intergovernmental and Military Affairs on S.B. No. 2231

The purpose and intent of this measure is to improve female firefighters' access to comprehensive medical coverage by expanding workers' compensation medical benefits for firefighters to include coverage for breast cancer and cancer of female reproductive organs.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations, County of Maui Department of Fire and Public Safety, Honolulu Fire Department, Disability and Communications Access Board, Hawaii Fire Fighters Association, and eleven individuals.

Your Committees find that firefighters are commonly diagnosed with cancers of the respiratory, digestive, and urinary systems due to exposure to cancer-causing contaminants during the performance of their duties. By providing sufficient workers' compensation coverage for firefighters, states can help ensure that firefighters receive timely and appropriate medical treatment and can help ease the emotional and financial burdens for firefighters and their families if the firefighter is diagnosed with cancer. Due to anatomical differences, female firefighters may develop a wide variety of cancers, including breast, cervical, and uterine cancers, and may develop them at an earlier age than most other women. This measure will ensure that firefighters receive timely and appropriate medical treatment for breast cancer and cancer of the female reproductive organs.

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. 2231 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.
Labor and Technology: Ayes, 5. Noes, none. Excused, none.
Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 2371 Commerce and Consumer Protection on S.B. No. 2108

The purpose and intent of this measure is to:

- (1) Allow a condominium association that claims a Renewable Energy Technologies Income Tax Credit under section 235-12.5, Hawaii Revised Statutes (HRS), to transfer the credit, or a portion thereof, to another individual or corporate taxpayer that is not related to the condominium association for fair and reasonable consideration; and
- (2) Provide that condominium association unit owners shall not be entitled to any apportionment or distribution of a transferred Renewable Energy Technologies Income Tax Credit when a condominium association transfers the tax credit.

Your Committee received testimony in support of this measure from two individuals.

Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the Renewable Energy Technologies Income Tax Credit (RETITC)--the State's existing income tax credit scheme for renewable energy installations (codified under section 235-12.5, HRS)--allows condominium associations to receive an income tax credit for the installation of certain solar and wind-powered energy systems. However, your Committee finds that, for many condominium associations, the tax incentives under the RETITC are not sufficient to make the installation of renewable energy systems economically viable.

Your Committee finds that one alternative to the non-refundable and refundable tax credit schemes would be to allow condominium associations to transfer their RETITC to investors who are looking to reduce their tax liabilities, thereby generating a synergistic and mutually beneficial transaction that concurrently helps the State meet its renewable energy goals. Therefore, this measure allows a condominium association that claims a credit under the RETITC to transfer the credit, or a portion thereof, to certain taxpayers.

Notwithstanding, your Committee notes the concerns raised in testimony that amendments to this measure are necessary to improve this measure's clarity and timing.

Therefore, your Committee has amended this measure by:

- (1) Deleting the requirement that credits be transferred “for fair and reasonable consideration” and the definition of “transferee taxpayer”;
- (2) Clarifying the individuals or corporate taxpayers who shall be deemed “related” to a condominium association for the purposes of prohibiting credit transfers;
- (3) Amending the credit transfer election period to the close of the taxable year for which the eligible renewable energy technology system is installed and placed in service;
- (4) Postponing the start of the applicable taxable year period for the tax credit transfer to December 31, 2024; and
- (5) Inserting an effective date of July 1, 2040, 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. 2108, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2108, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2372 Commerce and Consumer Protection on S.B. No. 2239

The purpose and intent of this measure is to:

- (1) Prohibit any person from advertising, displaying, or offering a price for a transient accommodation or resort time share vacation interest, plan, or unit that does not include all taxes and fees imposed by a government entity at the time of purchase;
- (2) Require a person to clearly and conspicuously display in each advertisement for a transient accommodation or resort time share vacation interest, plan, or unit a rate or price that includes all taxes and fees imposed by a government entity; and
- (3) Require any taxes and fees that are displayed as a percentage of the cost on a booking transaction to also be displayed as a dollar amount at the time of purchase.

Your Committee received testimony in opposition to this measure from the Chamber of Progress.

Your Committee received comments on this measure from the Hawai‘i Tourism Authority.

Your Committee finds that booking agencies often do not include certain government-related fees and taxes in their advertised rates and prices. Further, because these fees and taxes are usually added as a surcharge after a consumer initiates a purchase, consumers are often left feeling misled after paying a higher price than they had originally anticipated. Therefore, this measure provides consumers with the ability to make better and more informed purchasing decisions before initiating a transaction, by prohibiting certain deceptive advertising practices and increasing transparency at the point of purchase.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2040, 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. 2239, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2239, 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. 2373 Commerce and Consumer Protection on S.B. No. 2336

The purpose and intent of this measure is to:

- (1) Require that condominium renters who prevail in a lawsuit for a violation of the Residential Landlord-Tenant Code be awarded reasonable attorneys’ fees and costs and threefold damages; and
- (2) Require the Real Estate Commission to:
 - (A) Establish a Condominium Association Board Oversight Task Force to ensure transparency and consistency in the management of condominiums;
 - (B) Report to the Legislature before the Regular Session of 2025; and
 - (C) Dissolve the Task Force on an unspecified date.

Your Committee received testimony in support of this measure from the Kokua Council, Legal Aid Society of Hawai‘i, and three individuals.

Your Committee received testimony in opposition to this measure from the Hawai‘i Real Estate Commission; Community Associations Institute; Palehua Townhouse Association; Hawaii First Realty LLC; Sky Tower Apartments; Law Offices of Mark K. McKellar, LLC; and seventeen individuals.

Your Committee finds that there is a need for greater oversight of condominium association boards and landlords. Currently, there is little, if any, accountability when condominium association boards wrongfully levy fines, initiate foreclosures, delay renovations, and take other adverse actions against unit owners. Therefore, this measure will help deter condominium association boards from

committing acts of malfeasance by awarding reasonable attorneys' fees, costs, and threefold damages to condominium renters who prevail in a lawsuit for a violation of the Residential Landlord-Tenant Code.

Notwithstanding, your Committee has heard the concerns raised by testifiers that the objectives of the proposed task force appear to be duplicative in scope to the Condominium Property Regime Task Force established by Act 189, Session Laws of Hawaii 2023. 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 established a Condominium Association Board Oversight Task Force;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of July 1, 2040, 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. 2336, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2336, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2374 Commerce and Consumer Protection on S.B. No. 2493

The purpose and intent of this measure is to:

- (1) Require that the fees for attorneys retained by a condominium association be paid from an association's funds or reserves, unless the fees incurred result from attempts to collect delinquent assessments against an individual unit owner;
- (2) Limit the total and final legal fees to twenty-five percent of the original debt amount;
- (3) Require attorneys retained by a condominium association to confine their communications to the condominium board, except when the attorneys must request and require materials and responses directly from owners for each matter; and
- (4) Prohibit attorneys retained by a condominium association from billing unit owners directly.

Your Committee received testimony in support of this measure from the Kokua Council and eleven individuals.

Your Committee received testimony in opposition to this measure from the Community Associations Institute; Honolulu Tower AOA; Sky Tower Apartments; Law Offices of Mark K. McKellar, LLC; and sixteen individuals.

Your Committee finds that when a condominium association board seeks legal assistance to protect the collective interests of their association, it is the association, not the individual unit owners, who are the clients of the attorneys. Therefore, this measure would require that fees for attorneys retained by the condominium association be paid from an association's funds or reserves and clarify other matters pertaining to association attorneys and individual owners. Separately, this measure limits condominium associations from seeking reimbursement for its total and final legal fees to twenty-five percent of the original debt amount sought.

Notwithstanding, your Committee has heard the testimony of those in opposition, raising concerns that this measure, in its current form, misunderstands condominium governance and potentially conflicts with state condominium law.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have:
 - (A) Required that the fees for attorneys retained by a condominium association be paid from an association's funds or reserves;
 - (B) Required attorneys retained by a condominium association to confine their communications to the condominium board; and
 - (C) Prohibited attorneys retained by a condominium association from billing unit owners directly;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of July 1, 2040, 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2493, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2493, 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. 2375 Commerce and Consumer Protection on S.B. No. 2532

The purpose and intent of this measure is to:

- (1) Clarify that the secured areas appurtenant to a multi-unit dwelling are included as dwellings for the purposes of prosecuting offenses under chapter 708, Hawaii Revised Statutes (HRS); and
- (2) Allow the owner of a multi-unit building or the condominium association to act as a complainant for the purpose of investigating and prosecuting a burglary in the first degree in a multi-unit building.

Your Committee received testimony in support of this measure from the Honolulu Police Department and five individuals.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that there has been an increase in criminal acts within the secured areas of multi-unit dwellings, which include secured parking and storage areas, committed by individuals who are neither residents nor guests of the property. Your Committee also finds that county law enforcement officers and prosecutors have been frequently reluctant to investigate and charge burglaries that occur in these secured areas because they are not clearly “dwellings”, despite the clear danger posed to building residents. Therefore, this measure clarifies the existing ambiguity and amends the definition of “dwelling” to include the secured areas appurtenant to multi-unit buildings for the purposes of prosecuting offenses against property rights under chapter 708, HRS.

Notwithstanding, your Committee has heard the testimony of the Department of the Attorney General recommending that the definition of certain terms and procedures be further clarified to better capture the Legislature’s intent and for practicality of enforcement. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying the definition of “dwelling” to mean a building, including a multi-unit building, which is used or usually used by a person or persons for lodging, and shall include any clearly marked and secured appurtenant parking or storage area;
- (2) Clarifying that a secured appurtenant area need only be “clearly marked and secured”, instead of “clearly marked, exclusive, and secured” and providing examples of such areas;
- (3) Adding individual unit owners, property managers, and authorized representatives of condominium associations to also act as complainants for the purpose of investigating and prosecuting a burglary in the first degree of a multi-unit building;
- (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 S.B. No. 2532, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2532, 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. 2376 Commerce and Consumer Protection on S.B. No. 2548

The purpose and intent of this measure is to require employees, applicants, and contracted vendors of condominium associations in employment positions that grant access to security cameras and footage to undergo a background check and be licensed consistent with the requirements in chapter 463, Hawaii Revised Statutes (HRS), that governs private investigators and guards.

Your Committee received testimony in support of this measure from the Palehua Townhouse Association and six individuals.

Your Committee received testimony in opposition to this measure from the Community Associations Institute; Hawaii First Realty, LLC; and one individual.

Your Committee finds that many condominium boards use security cameras to monitor their building premises as an alternative to hiring security guards, in order to save on operating costs. However, this often requires condominium employees and other contracted vendors to be responsible for, and have access to, security cameras and any corresponding recorded footage. Your Committee finds that because these employees and vendors are, in essence, acting as “guards” under the state private investigators and guards law, they should be subject to a background check and licensing exam consistent with the requirements of chapter 463, HRS. Therefore, this measure requires certain employees, applicants, and vendors of condominium associations to have the proper credentials to protect the condominium owner they are hired to serve.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2040, 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. 2548, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2548, 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. 2377 Education on S.B. No. 2257

The purpose and intent of this measure is to authorize the Hawaii Teacher Standards Board to consider qualified individuals with at least an associate’s degree or high school diploma with comparable education and coursework, industry experience, and content expertise to teach career and technical education courses.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i Teacher Standards Board, Hawai'i P-20 Partnerships for Education, and one individual.

Your Committee finds that career and technical education provides students with hands-on learning experiences to prepare them for future academic and professional careers. Many career and technical education courses are taught by industry professionals who have decades of experience, providing immersive, knowledgeable training to students. While there is increasing popularity of career and technical education pathways, certain education requirements for instructors may prohibit qualified individuals from applying to become instructors. Therefore, this measure offers more pathways for experienced, highly qualified industry professionals to become instructors in support of varied, enriching opportunities for students.

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. 2257, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2257, S.D. 2, 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 (Hashimoto).

SCRep. 2378 (Joint/Majority) Agriculture and Environment and Water and Land on S.B. No. 2053

The purpose and intent of this measure is to:

- (1) Authorize the Department of Land and Natural Resources to contract or form a partnership with private parties to assist with maintenance and management of sunscreen dispensers on all state beaches; and
- (2) Appropriate funds for the installation, maintenance, management, and operation of mineral-based sunscreen dispensers on all state beaches.

Your Committees received testimony in support of this measure from the Hawai'i Reef and Ocean Coalition, PlanIt Branding, and three individuals.

Your Committees received comments on this measure from the Department of Land and Natural Resources and Public Access to SunScreens Coalition.

Your Committees find that the reduced use of sunscreens containing certain chemicals would benefit the health and resilience of Hawaii's coral reef ecosystems. Your Committees believe that, following the relative success of installing a mineral sunscreen dispenser at the Hapuna State Recreation Area on Hawaii island, the deployment of sunscreen dispensers at all state beaches will further protect Hawaii's coral reefs as well as ease the burden of securing reef-safe sunscreens to residents and visitors. This measure will benefit the State by decreasing the amount of chemicals that adversely impact Hawaii's marine ecosystem from entering state waters while protecting beachgoers from skin cancer.

According to testimony received by your Committees, an appropriation of \$100,000 per year could fund the installation and operation of up to fifty sunscreen dispensers at beaches throughout the State. Your Committees also recognize that existing state laws do not prevent visiting beachgoers from bringing and using sunscreens that contain chemicals that contribute to the bleaching of coral.

Your Committees have amended this measure by:

- (1) Inserting language that allows the Department of Land and Natural Resources to publicize that the mineral-based sunscreen within these dispensers is more protective of the coral reefs of the State;
- (2) Inserting an appropriation amount of \$100,000;
- (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 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. 2053, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2053, 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, 2. Noes, 1 (Awa). Excused, 2 (DeCoite, Richards).
Water and Land: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Fevella).

SCRep. 2379 (Joint) Agriculture and Environment and Water and Land on S.B. No. 2495

The purpose and intent of this measure is to:

- (1) Exempt from acreage assessments land occupiers who have not applied for water service for the following year; and
- (2) Require the Board of Agriculture to amend certain administrative rules governing irrigation water service to consumers of the State by an unspecified date.

Your Committees received testimony in support of this measure from the Agricultural and Food Security Committee of the Environmental Caucus of the Democratic Party of Hawai'i and Hawai'i Farm Bureau.

Your Committees received testimony in opposition to this measure from the Department of Agriculture.

Your Committees find that there are serious concerns that former irrigation system users continue to be assessed water toll charges and acreage assessments when they have not used any water from an irrigation system. This measure aims to ensure that former irrigation system users, who have weir, water meter, or water flow measuring instruments that are removed by the Department of Agriculture, are not charged for the use of water, but also prevent erroneous water toll charges and acreage assessments.

According to testimony received by your Committees, the proposed new language amended in section 1 of this measure is inconsistent with the water service application process.

Accordingly, your Committees have amended this measure by:

- (1) Deleting the proposed new language in section 1 of this measure and replacing it with language that requires the Chairperson of the Board of Agriculture or their designee to annually notify all irrigation users by mail and conduct in-person visits on procedures to remove unused irrigation system water meters and stop acreage assessments; 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. 2495, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2495, 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, none. Excused, 2 (DeCoite, Richards).

Water and Land: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Fevella).

SCRep. 2380 (Joint) Agriculture and Environment and Water and Land on S.B. No. 2149

The purpose and intent of this measure is to:

- (1) Require the Department of Land and Natural Resources to approve or deny any license or permit application relating to aquaculture within ninety days from the date submitted; and
- (2) Appropriate an unspecified amount of funds for the establishment of two full-time equivalent positions within the Division of Aquatic Resources to support the review process of these applications.

Your Committees received testimony in support of this measure from the Department of Agriculture, Department of Land and Natural Resources, Hawaii Aquaculture and Aquaponics Association, Kowa Premium Foods Hawaii Corporation, and three individuals.

Your Committees find that aquaculture not only has the potential to reduce fishing pressure on stressed food stocks and lead to the recovery of over-exploited native fish and invertebrate species, but also can be an integral part of local food production and security in the State. However, the lengthy processing time of aquaculture-related permit and license applications, due to the complexity of certain applications and lack of dedicated full-time permanent staff, poses a hardship on applicants. This measure would facilitate the timely review of these applications and the issuance of permits and licenses necessary for aquaculture-related activities in the State.

Your Committees have amended this measure by inserting an appropriation amount of \$225,000.

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. 2149, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2149, 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; Ayes with Reservations (Rhoads). Noes, none. Excused, 2 (DeCoite, Richards).

Water and Land: Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 2381 (Joint) Agriculture and Environment and Water and Land on S.B. No. 2159

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture, in coordination with the Office of Planning and Sustainable Development, to prepare and periodically update the State Agricultural Functional Plan to include other agricultural updates that expand the State's priority on food by including wild seafood as a viable food source; and
- (2) Require the Governor to submit the updated plan to the Legislature prior to the Regular Session of 2026.

Your Committees received testimony in support of this measure from the Agribusiness Development Corporation, Office of Planning and Sustainable Development, Agriculture and Food Security Committee of the Environmental Caucus of the Democratic Party of Hawai'i, Hawai'i Farm Bureau, and three individuals.

Your Committees received comments on this measure from the Department of Agriculture, Hawaii Food Industry Association, and one individual.

Your Committees find 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. Your Committees further find that Hawaii's aquaculture industry continues to be one of the fastest-growing segments of Hawaii agriculture and has become an important source of food and other products for local sale and export. Your Committees also find that updating the State Agricultural Functional Plan would provide guidance on developing the aquaculture industry and support food sustainability in the State. This measure will therefore support food and nutrition security in the State.

According to testimony received by your Committees, the Department of Agriculture has no authority to set policy, establish objectives, or enforce action on seafood sustainability. In addition, the Department's expertise and regulatory authority with regards to fish and seafood is limited to net-pen aquaculture and other farm-raised seafood.

Your Committees have amended this measure by:

- (1) Replacing references to "seafood sustainability" with "aquaculture" and "wild seafood" with "freshwater and saltwater aquatic organisms";
- (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 S.B. No. 2159, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2159, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Richards).

Water and Land: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Fevella).

SCRep. 2382 (Joint) Agriculture and Environment and Water and Land on S.B. No. 2155

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture to:
 - (A) Identify and evaluate each parcel of certain state-owned lands; and
 - (B) Contract a third-party entity to compile a report that evaluates the agricultural land use potential of certain parcels of state-owned lands greater than five acres; and
- (2) Appropriate funds for the report.

Your Committees received testimony in support of this measure from the Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; and one individual.

Your Committees received comments on this measure from the Department of Agriculture and Department of Land and Natural Resources.

Your Committees find that although it is the goal of the State to double local food production by 2030, eighty-five to ninety percent of the food in the State is imported. Your Committees recognize that not only is forty-two percent of the agricultural land in the State currently unfarmed, but that the government is also the largest landowner in the State. Your Committees further find that to identify and effectively utilize state agricultural lands for food production, a comprehensive report on the agricultural potential of those lands is needed. This measure aims to increase the State's self-sufficiency by providing policy makers with key information regarding the agricultural potential of certain state lands for various crops and livestock production.

According to testimony received by your Committees, an appropriation of \$1,000,000 is necessary for the Department of Agriculture to carry out the duties required by this measure.

Your Committees have amended this measure by:

- (1) Deleting the requirement for the report to include the nautical direction of each parcel of certain state-owned lands greater than five acres;
- (2) Inserting an appropriation amount of \$1,000,000; 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 S.B. No. 2155, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2155, 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, none. Excused, 2 (DeCoite, Richards).

Water and Land: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Fevella).

SCRep. 2383 (Joint) Agriculture and Environment and Water and Land on S.B. No. 2501

The purpose and intent of this measure is to require the Hawaii Invasive Species Council to prioritize the protection of exceptional trees.

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 Hawaii Invasive Species Council.

Your Committees find that invasive species have become one of the most devastating problems impacting the State's environment and economy. Your Committees further find that the State has a duty to enhance, whenever and wherever possible, the natural

environment of the State. This measure will further safeguard trees and stands or groves of trees with historic or cultural value from destruction.

Your Committees have amended this measure by clarifying that the Hawaii Invasive Species Council shall prioritize the protection of exceptional trees from invasive species.

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. 2501, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2501, 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, none. Excused, 2 (DeCoite, Richards).

Water and Land: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Fevella).

SCRep. 2384 (Joint) Agriculture and Environment and Water and Land on S.B. No. 2147

The purpose and intent of this measure is to promote the use of certain recycled wastewater throughout the State. Specifically, this measure:

- (1) Requires any nonpotable water users or developers of real property within an unspecified number of miles of a wastewater treatment plant to use R-1 water for nonpotable water usage; and
- (2) Appropriates an unspecified amount of funds to the Department of Land and Natural Resources:
 - (A) To enforce R-1 water usage requirements; and
 - (B) For the establishment of an unspecified number of full-time equivalent positions within the Commission on Water Resource Management.

Your Committees received testimony in support of this measure from the Honolulu Board of Water Supply, Ulu pono Initiative, and Agriculture and Food Security Committee of the Environmental Caucus of the Democratic Party of Hawai'i.

Your Committees received comments on this measure from the Department of Health and Department of Land and Natural Resources.

Your Committees find that water is a precious resource that needs to be preserved and conserved to ensure sustainability for future generations. Your Committees further find that increasing nonpotable water use is a viable solution to offset the demand on Hawai'i's vital and finite water resources. Your Committees note that R-1 recycled water is disinfected and poses no impact to public health relative to other types of nonpotable irrigation supplies.

Your Committees also find that not all wastewater treatment plants treat wastewater to R-1 water standards. Your Committees further note that the Department of Health, rather than the Commission on Water Resource Management, has the authority to enforce laws relating to water pollution. According to multiple testimonies received by your Committees, the Legislature appropriated funding for fiscal year 2024-2025 for additional planning and study to better understand the potential expansion of recycled water reuse in the State through a statewide assessment to utilize reclaimed water for uses other than drinking water and potable water needs in all state and county facilities by December 31, 2045, and to conduct a study for water security. Your Committees believe that this study should be completed before the establishment of reuse zones and find that the results of the study will be available in two years.

Your Committees have amended this measure by:

- (1) Requiring any nonpotable water users or developers of real property adjacent to or within reach of existing suitable infrastructure connected to a wastewater recycling facility that treats wastewater to R-1 water standards to use R-1 water for nonpotable water usage after January 1, 2026;
- (2) Amending the definition of R-1 water to mean "recycled water that has been oxidized, filtered, and disinfected to meet the corresponding standards set in chapter 11-62, Hawaii Administrative Rules";
- (3) Moving the positions established to be within the Department of Health rather than the Commission on Water Resource Management;
- (4) Deleting language that would have appropriated funds to the Department of Land and Natural Resources to enforce R-1 water usage requirements;
- (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 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. 2147, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2147, 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, none. Excused, 2 (DeCoite, Richards).

Water and Land: Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 2385 (Joint) Agriculture and Environment and Water and Land on S.B. No. 2329

The purpose and intent of this measure is to appropriate funds, including for positions, equipment, and maintenance and operating costs, to produce pua (juvenile stripe mullet) for fishponds and stock enhancement.

Your Committees received testimony in support of this measure from the Department of Agriculture, Marine Science Learning Center at Wai'anae High School, Agricultural and Food Security Committee of the Environmental Caucus of the Democratic Party of Hawai'i, Hawaii Aquaculture and Aquaponics Association, Kua'aina Ulu 'Auamo, and two individuals.

Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that mullet production contributes to food security, cultural preservation, education, and employment opportunities in aquaculture in the State. Your Committees recognize that currently there is strong interest and community engagement, especially from youth, in loko ai (traditional Hawaiian fishponds) and fishpond culture. According to testimony received by your Committees, mullet production is an important component to restore the health of traditional Hawaiian fishponds and their surrounding ecosystem. This measure will ensure a reliable source of stocking material for fishpond restoration efforts and wild stock enhancement for the benefit of the State.

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. 2329 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, none. Excused, 2 (DeCoite, Richards).

Water and Land: Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 2386 Commerce and Consumer Protection on S.B. No. 2726

The purpose and intent of this measure is to:

- (1) Require the Legislative Reference Bureau to conduct a study on condominium property regimes and the approaches used in certain other jurisdictions with respect to ombudsman programs, licensing for management, alternative dispute resolution, governmental regulation, owner education, and owner access to condominium documents; and
- (2) Make an appropriation for the study.

Your Committee received testimony in support of this measure from the AARP Hawai'i, Hawaii First Realty LLC, Community Associations Institute, Palehua Townhouse Association, and eight individuals.

Your Committee received comments on this measure from the State Procurement Office, Legislative Reference Bureau, and two individuals.

Your Committee finds that Act 189, Session Laws of Hawaii 2023, established a Condominium Property Regime Task Force to examine and evaluate certain issues regarding condominium property regimes and to conduct an assessment of the existing alternative dispute resolution systems that were established by the Legislature. On December 15, 2023, the Condominium Property Regime Task Force submitted its interim report to the Legislature, which requested the Legislature to task the Legislative Reference Bureau with studying and reporting on several specific subjects relating to condominium property regimes that would enable the Task Force to thereafter recommend legislation suitable to Hawaii's needs on an informed and objective basis. Therefore, this measure requires and appropriates funds for the Legislative Reference Bureau to complete the requested study of condominium subjects in other states.

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. 2726, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2726, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2387 Commerce and Consumer Protection on S.B. No. 2727

The purpose and intent of this measure is to allow high-rise residential condominium properties to be eligible for commercial property assessed financing.

Your Committee received testimony in support of this measure from the Hawai'i Green Infrastructure Authority; Hawai'i State Energy Office; Office of Planning and Sustainable Development; Petros PACE Finance, LLC; Island Insurance Company, Limited; Hawaii Insurers Council; C-PACE Alliance, Inc.; Holomua Collaborative; Palehua Townhouse Association; Parkland Gardens AOA Board of Directors; CastleGreen Finance, LLC; Nuveen Green Capital; Association of Apartment Owners at Pat's at Punalu'u; Hawaii Solar Energy Association; Contessa Condominium; Kokua Council; Hawai'i Energy; and five individuals.

Your Committee received comments on this measure from the Hawaii Bankers Association and Hawaii Credit Union League.

Your Committee finds that the commercial property assessed financing program, known as C-PACER in Hawaii, enables eligible commercial property owners to access financing for qualifying improvements on their property and repay the investment through a voluntary assessment, similar to a real property tax. Your Committee finds that allowing residential high-rise condominium properties to participate in C-PACER can help finance the installation of fire safety measures and other measures related to energy efficiency, renewable energy, water conservation, and resiliency at more attractive rates and terms than may be currently available with conventional financing. Therefore, this measure allows high-rise residential condominium properties to participate in C-PACER.

Notwithstanding, your Committee has heard the testimony of the Hawaii Bankers Association, which notes that while they appreciate the need for condominiums to access C-PACER, they are cautious regarding any intention to have this program apply to residential settings because of the potential impacts to the residential mortgage market. Your Committee has heard their concern and acknowledges that the purpose of this measure is to allow condominium property regimes of more than six units to access the existing C-PACER program and to follow the requirements under section 196-64.5, Hawaii Revised Statutes (HRS), which includes the requirement to obtain the prior written consent of each holder or loan servicer of any mortgage that encumbers or otherwise secures the property.

Your Committee has amended this measure by:

- (1) Clarifying that for high-rise residential condominium properties participating in the C-PACER program, commercial property assessed financing assessments shall be levied and collected in the manner as provided under chapter 514B, HRS, rather than the levy and collection requirements pursuant to section 196-64.5, HRS;
- (2) Inserting an effective date of July 1, 2040, 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. 2727, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2727, 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. 2388 Commerce and Consumer Protection on S.B. No. 3332

The purpose and intent of this measure is to:

- (1) Temporarily:
 - (A) Extend the period for a notice of termination of a rental agreement, beginning November 1, 2024;
 - (B) Require landlords to engage in mediation and delay filing an action for summary possession if a tenant schedules or attempts to schedule mediation; and
 - (C) Require landlords to provide specific information in the ten-calendar-day notice to tenants; and
- (2) Make an appropriation.

Your Committee received testimony in support of this measure from The Judiciary; Mediation Center of the Pacific, Inc.; Catholic Charities Hawai'i; Hawai'i State Coalition Against Domestic Violence; Ku'ikahi Mediation Center; Palehua Townhouse Association; Hawai'i Housing Affordability Coalition; Hawaii Disability Rights Center; Kauai Economic Opportunity, Inc.; and nine individuals.

Your Committee received comments on this measure from the Department of Human Services, Hawaii Appleseed Center for Law and Economic Justice, and Hawai'i Association of REALTORS.

Your Committee finds that many Hawaii residents continue to face challenges paying their rent. Your Committee further finds that Act 57, Session Laws of Hawaii 2021 (Act 57), encouraged communication and facilitated mediation between landlords and tenants to help encourage collaborative solutions and reduce evictions when possible. Your Committee finds that although the provisions of Act 57 have since expired, the pre-litigation mediation program's success warrants the re-adoption of its most effective provisions. Therefore, this measure would reimplement certain provisions of Act 57 and encourage tenants and landlords to engage in early mediation.

Notwithstanding, your Committee notes that a separate measure, S.B. No. 3331 (2024), which was concurrently heard by your Committee, is a substantially similar measure that also encourages mediation between landlords and tenants. Your Committee concludes that the language in S.B. No. 3331 (2024), is preferable, as it resolves the potential subject-title concerns raised by the Department of Attorney General with respect to the provisions of this measure in its current form. Your Committee also acknowledges the separate concerns raised in testimony with respect to various provisions of S.B. No. 3331 (2024), regarding the lack of a rent relief program with respect to S.B. No. 3332. Therefore, amendments to this measure are necessary to address these various issues.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 3331 (2024), a substantially similar measure, and further amending the measure to:
 - (A) Codify the pre-litigation mediation program into chapter 521, Hawaii Revised Statutes;
 - (B) Amend the definition of "final eviction moratorium";
 - (C) Clarify that the Governor may continue the eviction moratorium until the termination or expiration of any emergency proclamation; and
 - (D) Delete language that would have allowed a landlord to request all costs incurred during the pre-litigation mediation process if a tenant defaults on a mediated agreement or fails to attend a scheduled mediation;
- (2) Inserting language to establish an emergency rent relief program available to participants in pre-litigation mediation and appropriating funds accordingly;

- (3) Inserting language to specify that this measure shall not be applied so as to impair any contract in a manner that violates either the Hawaii State Constitution or the United States Constitution;
- (4) Amending section 1 to reflect its amended purpose;
- (5) Inserting an effective date of July 1, 2040, 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. 3332, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3332, 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 (Awa).

SCRep. 2389 (Joint) Water and Land and Agriculture and Environment on S.B. No. 3338

The purpose and intent of this measure is to:

- (1) Establish within the Department of Land and Natural Resources a policy lead and coordinator for Red Hill Water Alliance Initiative initiatives;
- (2) Create the Red Hill Remediation Special Fund; and
- (3) Appropriate funds.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Department of Health, Honolulu Board of Water Supply, University of Hawai'i System, Sierra Club of Hawai'i, Democratic Party of Hawai'i, Kūpuna for the Mo'opuna, Environmental Caucus of the Democratic Party of Hawai'i, Free Access Coalition, and twenty-four individuals.

Your Committees received comments on this measure from the Department of Budget and Finance and five individuals.

Your Committees find that the United States Navy's Red Hill Bulk Fuel Storage Facility consists of twenty steel-lined underground storage tanks that were built from 1940 to 1943. On November 20, 2021, about ninety-three thousand individuals served by the Navy's potable water system for Joint Base Pearl Harbor-Hickam were directly affected when the Navy's Red Hill shaft was contaminated by the release of up to nineteen thousand gallons of fuel, including JP-5 jet fuel, stored at the Red Hill Bulk Fuel Storage Facility. Over six thousand individuals sought medical attention, and one thousand were forced to leave their homes due to the contamination. Your Committees further find that on May 9, 2023, officials from the State and City and County of Honolulu signed a unified statement on Red Hill, recognizing the stewardship responsibility to ensure that there is clean water on Oahu for future generations. The Red Hill Water Alliance Initiative (WAI), a working group, met regularly in 2023 since the signing of the unified statement. The Red Hill WAI posed questions, conducted research, listened to subject-matter experts, and formulated recommended policies. This measure will create a special fund, which will enable the WAI to fund necessary efforts to remediate the contamination resulting from the Red Hill Bulk Fuel Storage Facility.

Your Committees have amended this measure by:

- (1) Clarifying that the Department of Land and Natural Resources shall be the State's policy lead on Red Hill WAI initiatives;
- (2) Adding language that requires the cost of the remediation of the aquifer be borne by the United States Navy;
- (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. 3338, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3338, 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. Noes, none. Excused, none.
Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Richards).

SCRep. 2390 (Joint) Public Safety and Intergovernmental and Military Affairs and Labor and Technology on S.B. No. 3084

The purpose and intent of this measure is to exempt Hawaii National Guard service members activated by the Governor or the Governor's designated representative to state active duty from enrollment in the Employees' Retirement System of the State of Hawaii.

Your Committees received testimony in support of this measure from the Department of Defense, Hawai'i Army National Guard, and eight individuals.

Your Committees received comments on this measure from the Employees' Retirement System.

Your Committees find that under existing law, Hawaii National Guard personnel who are ordered to active duty in the service of the State are designated as state employees and after ninety days of active-duty service are required by law to make mandatory contributions to the State's Employees' Retirement System (ERS). Your Committees further find that while they are required to pay at

least eight percent to the ERS, they are only vested for retirement if the service member is employed by the State for ten years, which has never occurred. This measure will improve the Hawaii National Guard's posture and flexibility in responding to state disasters and emergencies by exempting service members from enrollment into the ERS.

Your Committees have amended this measure by:

- (1) Clarifying that members of the Hawaii National Guard ordered into active duty to provide services to the State shall be ineligible for membership in the ERS based on the active duty;
- (2) Removing language that would have provided that any member of the ERS who takes a leave of absence to be on active duty in service to the State shall be entitled to all benefits and required to make all employee contributions under the ERS for the period during which the employee is on active duty in service to the State;
- (3) Clarifying that any member of the Hawaii National Guard who is an employee of the State or any county, in a position other than as a member of the Hawaii National Guard ordered into active duty to provide service to the State, shall not be precluded from membership in the ERS or being credited with membership service credit for active military service; 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 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. 3084, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3084, 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.

Labor and Technology: Ayes, 5. Noes, none. Excused, none.

SCRep. 2391 Public Safety and Intergovernmental and Military Affairs on S.B. No. 3085

The purpose and intent of this measure is to authorize the payment of allowances for TRICARE Reserve Select coverages to junior officers, warrant officers, or enlisted personnel of the Hawaii National Guard ordered to active duty for more than thirty days in service to the State.

Your Committee received testimony in support of this measure from the Department of Defense; Hawaii Emergency Management Agency; Hawai'i Army National Guard; 154th Security Forces Squadron, Hawaii Air National Guard; Hawaii National Guard Association; and eight individuals.

Your Committee finds that there currently is no authority to provide health insurance for Hawaii National Guard service members who are ordered to active duty in the service of the State. Your Committee further finds that the lack of health insurance creates additional challenges for service members to volunteer for active duty in service of the State without experiencing great personal hardship. This measure will alleviate service member's concerns about health care coverage, increase the available volunteer pool, and improve the Hawaii National Guard's response to future emergencies within 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 is in accord with the intent and purpose of S.B. No. 3085, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3085, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2392 (Majority) Public Safety and Intergovernmental and Military Affairs on S.B. No. 3147

The purpose and intent of this measure is to clarify that the Director of Law Enforcement has authority to issue subpoenas as part of the investigative powers of the Department.

Your Committee received testimony in support of this measure from the Department of Law Enforcement and one individual.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that Act 278, Session Laws of Hawaii 2022, reorganized the Department of Public Safety into the Department of Law Enforcement and Department of Corrections and Rehabilitation. However, for the Department of Law Enforcement to fully effectuate its mandate to administer state criminal law enforcement, subpoena powers for the Director of Law Enforcement are necessary for thorough investigations. This measure promotes public safety while ensuring the Department of Law Enforcement has powers necessary to fulfill its mission.

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. 3147, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3147, 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. 2393 Public Safety and Intergovernmental and Military Affairs on S.B. No. 3259

The purpose and intent of this measure is to permanently reinstate the liability protections previously afforded to county lifeguards providing services at state beach parks or in the ocean.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice.

Your Committee finds that Act 170, Session Laws of Hawaii 2002, which established liability protection for county lifeguards providing services at state beach parks or in the ocean, except in cases of gross negligence or wanton acts or omissions, was repealed in 2017. Your Committee further finds that providing this limited liability protection is necessary as some counties do not provide lifeguard services at state beach parks resulting from the fear of potential liability. This measure will help protect the lives of the State's residents and visitors by reinstating liability protections for lifeguards.

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. 3259, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3259, 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 (Rhoads). Noes, none. Excused, none.

SCRep. 2394 Health and Human Services on S.B. No. 2323

The purpose and intent of this measure is to:

- (1) Prohibit the assessment of any fines, fees, or court costs against a person who was adjudicated for an offense committed while the person was a minor under the age of eighteen years, or against the person's parent or guardian;
- (2) Discharge all related debt obligations assessed prior to the effective date of this measure;
- (3) Limit court ordered community service for minors to seventy-two hours; and
- (4) Repeal the statewide curfew for minors.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Community Alliance on Prisons, Policy Advocacy Clinic at Berkely Law, ACLU of Hawai'i, Opportunity Youth Action Hawai'i, Hawai'i Friends of Restorative Justice, CARES, and one individual.

Your Committee received comments on this measure from the Department of the Attorney General and The Judiciary.

Your Committee finds that charging fees, fines, and court costs against youth causes undue hardship when choosing between paying court costs or meeting basic needs. Your Committee further finds that assessing fines in juvenile justice proceedings is not an evidence-based practice for rehabilitating, deterring, or even punishing delinquent youth. This measure alleviates the economic burdens placed on juveniles and their families to reduce recidivism and the resulting escalation of crime.

Your Committee notes the testimony of the Department of the Attorney General raising concerns over the measure's repeal of language in existing law allowing minors who have committed an act constituting graffiti to pay restitution to the victim rather than remove the graffiti from the affected property themselves. The Department explained that limiting the method of restitution to removal of the graffiti may require the minor to do so even in situations that may otherwise be dangerous, such as removing graffiti on an overpass sign. Furthermore, monetary restitution will not be a burden on the minor, as a minor, upon being ordered to pay restitution to a victim, will be given the option to participate in the Judiciary's Accountability Program (Papa Hoike Kuleana) that will pay applicable restitution to victims on behalf of the minor upon the minor's completion of the required community service work. Accordingly, this measure requires amendments to address this concern.

Therefore, your Committee has amended this measure by:

- (1) Restoring existing statutory language to allow a minor who has committed an act constituting graffiti or the minor's parents or legal guardians to pay for the actual cost of having the damaged property repaired or replaced rather than remove the graffiti themselves; and
- (2) Making 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. 2323, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2323, 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. 2395 Commerce and Consumer Protection on S.B. No. 2121

The purpose and intent of this measure is to:

- (1) Authorize consumers aggrieved by the conduct of a mortgage loan originator licensee to recover from the Mortgage Loan Recovery Fund;
- (2) Allow for excess moneys in the Mortgage Loan Recovery Fund to be used for certain training and educational purposes; and
- (3) Increase to \$150,000 the restitution available to consumers from the Mortgage Loan Recovery Fund.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that a person who holds a court order against a mortgage loan originator company licensee for fraud, deceit, or misrepresentation, is eligible to receive restitution from the Mortgage Loan Recovery Fund. However, existing law does not allow a person aggrieved in a similar manner by an individual mortgage loan originator licensee--as opposed to a mortgage loan originator company licensee--to receive restitution from the Mortgage Loan Recovery Fund. Therefore, this measure clarifies that persons aggrieved by the conduct of an individual mortgage loan originator licensee may receive restitution from the fund. Further, this measure will allow a portion of the Mortgage Loan Recovery Fund to be used for certain training and educational purposes, and will increase the amount of restitution available to consumers from the Mortgage Loan Recovery Fund.

Your Committee has amended this measure by deleting \$50,000 and inserting an unspecified amount of funds from the Mortgage Loan Recovery Fund's surplus balance that the Division of Financial Institutions of the Department of Commerce and Consumer Affairs may use for training and educational purposes.

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. 2121, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2121, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2396 Commerce and Consumer Protection on S.B. No. 2697

The purpose and intent of this measure is to authorize the Department of Commerce and Consumer Affairs to revoke the licenses of architects who have been, or caused an employee of the Department of Commerce and Consumer Affairs to be, convicted of a criminal offense involving the acceptance of a bribe.

Your Committee received comments on this measure from the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects.

Your Committee finds that licensed architects that have admitted to and been sentenced for bribing county permitting workers can still run their businesses as usual, so long as their licenses remain in good standing pending any formal action taken to the contrary by the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects (Board). Your Committee further finds that it is in the public interest to allow the Department of Commerce and Consumer Affairs to revoke an architect's license in circumstances where the Board has delayed or failed to take necessary license revocation action. Therefore, this measure allows the Department of Commerce and Consumer Affairs to revoke the licenses of architects involved in certain acts relating to bribery.

Notwithstanding, your Committee notes the testimony of the Board, expressing their concern that the language in the measure as currently drafted that allows for the revocation of the license of any architect who causes an employee of the Department of Commerce and Consumer Affairs to be convicted of a criminal offense involving the acceptance of a bribe is limiting, and that more general language should be used if the intent is to address bribery at large. Therefore, this measure requires amendments to address this concern.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the Department of Commerce and Consumer Affairs shall revoke the license of any architect who has been, or caused a government employee to be, convicted of a criminal offense involving the acceptance of a bribe; and
- (2) Inserting an effective date of July 1, 2040, 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. 2697, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2697, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2397 Commerce and Consumer Protection on S.B. No. 2728

The purpose and intent of this measure is to:

- (1) Reestablish the Appraisal Management Company Registration Program within the Department of Commerce and Consumer Affairs to conform with the minimum standards of the Appraisal Management Companies Final Rule and federal Dodd-Frank Wall Street Reform and Consumer Protection Act;
- (2) Reestablish registration requirements, standards, and penalties for violations; and
- (3) Make an appropriation from the Compliance Resolution Fund.

Your Committee received testimony in support of this measure from the Hawai'i Association of REALTORS, Hawaii Credit Union League, Real Estate Valuation Advocacy Association, Hawaii Financial Services Association, Hawaii Bankers Association, Mortgage Banker Association of Hawaii, Solidifi US Inc., Appraisal Institute, Rehkemper Brothers LLC, and two individuals.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that, in 2017, the Legislature enacted Act 118, Session Laws of Hawaii 2017 (Act 118), formerly codified as chapter 466L, Hawaii Revised Statutes (HRS), to establish a regulatory framework for appraisal management companies in Hawaii in conformance with the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (Dodd-Frank Act). However, the framework established by Act 118 was subject to a statutory sunset, and has since been repealed as of June 30, 2023.

Your Committee finds that the continuation of the Appraisal Management Company Registration Program established by Act 118 is in the public's best interest, and that the lack of a program could result in serious unintended and adverse consequences for Hawaii consumers and others involved in the residential appraisal process in the State. The Office of the Auditor likewise concluded in its sunset review of Act 118 (Report No. 23-01) that, while appraisal management companies are not a "profession" or "vocation" that would require regulation pursuant to the Hawaii Regulatory Licensing Reform Act, the public interest justifies the reenactment of the program. Therefore, this measure permanently reenacts the Appraisal Management Company Registration Program established by Act 118.

Notwithstanding, your Committee acknowledges the concerns raised by the Real Estate Valuation Advocacy Association and Hawaii Financial Services Association that time is of the essence in the reestablishment of the Appraisal Management Company Registration Program, and that reimplementation should be expedited. Accordingly, this measure requires amendments to address this issue.

Therefore, your Committee has amended this measure by:

- (1) Inserting an effective date of September 30, 2024, for the provisions of this measure reestablishing the Appraisal Management Company Registration Program;
- (2) Deleting language that would have allowed an appraisal management company to remove an independent appraiser from an appraiser panel without prior written notice, if the removal occurs within the first ninety days after the independent appraiser is added to an appraiser panel;
- (3) Making appropriations from the Compliance Resolution Fund for fiscal year 2023-2024 in addition to fiscal year 2024-2025 for the implementation 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2728, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2728, 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. 2398 Commerce and Consumer Protection on S.B. No. 2863

The purpose and intent of this measure is to require that a portion of state moneys be deposited in a state-owned bank.

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

Your Committee received comments on this measure from the Division of Financial Institutions of the Department of Commerce and Consumer Affairs and Department of Budget and Finance.

Your Committee finds that following the previous economic downturn in 2008 and during the coronavirus disease 2019 pandemic, the lack of financing available for new businesses increased discussions regarding the establishment of state banks. Your Committee finds that state banks, or financial institutions that a state has chartered primarily to provide commercial banking services, can serve an important stabilizing role in the financial markets. Therefore, this measure requires the State to deposit a certain portion of state moneys into a state-owned bank, should a state-owned bank be established in Hawaii.

Your Committee has amended this measure by:

- (1) Requiring that a portion of state moneys be deposited in a financial institution chartered or authorized to do business in the State;
- (2) Inserting an effective date of July 1, 2040, 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2863, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2863, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2399 (Joint) Agriculture and Environment and Water and Land on S.B. No. 2932

The purpose and intent of this measure is to:

- (1) Appropriate \$342,070,000 for capital improvement projects for the agricultural infrastructure of the State;

- (2) Appropriate \$9,500,000 for the establishment, operation, and administration of a food and product innovation network; and
- (3) Appropriate \$4,411,426 for the retirement of outstanding debt on the Waiahole Water System.

Your Committees received testimony in support of this measure from the Department of Agriculture, Agribusiness Development Corporation, Ulupono Initiative, Hawaii Food+ Policy, Hawai'i Farm Bureau, and Local Food Coalition.

Your Committees find that dedicated funding is necessary for the repair and maintenance of critical agricultural infrastructure projects statewide. Your Committees recognize that the capital improvement projects proposed in this measure will make state water systems more reliable and efficient and provide water retention areas to address fire mitigation, drought conditions, and climate change. Your Committees further recognize that the food product innovation network funded by this measure will create rural jobs, provide additional revenue streams to local farmers and producers, and foster the development of locally-made value-added products to expand the "Made in Hawaii" brand. According to testimony received by your Committees, the debt relief for the Waiahole Water System, also provided in this measure, will allow the Agribusiness Development Corporation to reinvest its revenues back into the century old irrigation system, therefore providing local farmers and ranchers with the resources necessary to support the State's local food production 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 S.B. No. 2932 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Richards).

Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 2400 (Joint) Agriculture and Environment and Water and Land on S.B. No. 2575

The purpose and intent of this measure is to prohibit:

- (1) The mining, extraction, and removal of minerals from the seabed in all state marine waters, under certain conditions; and
- (2) 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 Committees received testimony in support of this measure from the Department of Health, Office of Hawaiian Affairs, Hawaii Chapter of 350.org, Sierra Club of Hawai'i, Greenpeace Foundation – Hawaii, University of Santa Barbara Benioff Ocean Science Laboratory, Huli Pac, For the Fishes, Hawaii's Thousand Friends, Hawaii Wildlife Fund, Kauai Womens Caucus, Malama Pupuokea-Waimea, Hawaii Reef and Ocean Coalition, Sustainable Coastlines Hawai'i, Deep Sea Mining Campaign, National Parks Conservation Association, Oceanic Preservation Society, Environmental Caucus of the Democratic Party of Hawai'i, Surfriider Hawaii LLC, REV Ocean, Blue Climate Initiative, Tetiaroa Society, Friends of Hanauma Bay, The Conservationist Collective LLC, The Marine Mammal Center, Marine Conservation Institute, The Ocean Foundation, Greenpeace, Inc., Te Ipukarea Society, and five individuals.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that seabed mining and related activities threaten not only the State's rich and biodiverse marine ecosystems, and but also ocean-dependent industries, such as commercial and recreational fishing and tourism. Your Committees therefore find 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 ensures the protection and preservation of the State's valuable marine environment by prohibiting seabed mining in the State.

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. 2575 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 (Richards).

Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 2401 Agriculture and Environment on S.B. No. 3024

The purpose and intent of this measure is to reduce and set fixed interest rates for loans under the Agricultural Loan Program.

Your Committee received testimony in support of this measure from the Department of Agriculture and Hawai'i Farm Bureau.

Your Committee finds that to reach the State's goal of doubling local food production by 2030, access to affordable credit and financing is critical to assist existing farms and ranches and to encourage new entrepreneurs to enter the agricultural industry. Your Committee notes that the drastic increase in interest rates in late 2022 caused the interest rate for loans under the Agricultural Loan Program to double from 3.25 percent in December 2022, to 6.5 percent in January 2023. According to testimony received by your Committee, the agricultural industry in the State is already struggling with high input and land costs, increasing inflation, supply chain disruptions, climate change, natural disasters, and loss of markets due to reduced tourism. Your Committee recognizes that setting a fixed interest rate for loans under the Agricultural Loan Program would eliminate confusion and inequity for borrowers based on when they received approval for their loans and increase the cash flow for capital-intensive farming and ranching operations.

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. 3024 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. 2402 Agriculture and Environment on S.B. No. 2431

The purpose and intent of this measure is to:

- (1) Establish the Agricultural Emergency Loan Revolving Fund to fund Class "D" loans; and
- (2) Appropriate an unspecified amount of funds into and out of the Agricultural Emergency Loan Revolving Fund.

Your Committee received testimony in support of this measure from the Department of Agriculture and Hawai'i Farm Bureau.

Your Committee received comments on this measure from the Department of the Attorney General and Department of Budget and Finance.

Your Committee finds that the Agricultural Loan Revolving Fund funds all loans made by the Agricultural Loan Program (Program), resulting in competition for its limited funds. Your Committee recognizes that natural and economic disasters now occur with greater frequency, increasing the need for the Program to extend Class D loans or emergency loans to agricultural enterprises. However, your Committee notes that because the Program does not reserve funds for any specific purpose, the issuance of these loans has decreased the availability of funding for other agricultural uses, such as loans to encourage agricultural development and expand local food production. Your Committee believes that a dedicated source of emergency funding, as proposed by this measure, will allow the Department of Agriculture to offer financial assistance for the rapid recovery of farms and ranches from agricultural emergencies without diverting funding necessary for other statutorily mandated uses.

Your Committee recognizes the concerns raised by the Department of the Attorney General as the measure is unclear as to why Class D emergency loans cannot be issued successfully through funds obtained through the general fund appropriation process. Your Committee respectfully requests that the Department of Agriculture address this concern as this measure moves forward in the legislative 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. 2431 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 (Richards).

SCRep. 2403 Agriculture and Environment on S.B. No. 2419

The purpose and intent of this measure is to appropriate \$2,500,000 for the biosecurity program of the Department of Agriculture to develop and implement projects for clean plant material, agricultural treatments, diagnostics, and pest management.

Your Committee received testimony in support of this measure from the Department of Agriculture; Department of Land and Natural Resources; Maui County Farm Bureau; Land Use Research Foundation of Hawaii; Hawaii Crop Improvement Association; Hawaii Cattlemen's Council, Inc.; Hawaii Young Republicans; Sierra Club of Hawai'i; Food + Policy; Hawai'i Farm Bureau; O'ahu Invasive Species Committee; Hawaii Floriculture and Nursery Association; Ponoholo Ranch, Limited; Larry Jefts Farms, LLC; and eleven individuals.

Your Committee received comments on this measure from Ka 'Ohana O Na Pua.

Your Committee finds that the entry and establishment of a new, devastating pest or disease is an ever-present reality, given the increase and expansion of global trade and travel. Your Committee further finds that the State's biosecurity program established by the Department of Agriculture (Department) is vital to prevent and manage invasive species from entering and spreading throughout the State. According to testimony received by your Committee, the Department has long been underfunded and understaffed to meet the growing needs and challenges of its biosecurity mission. This measure will provide necessary resources for the Department to build local capacity and execute operations to effectively protect the fragile environment of the State's island communities against invasive species on multiple fronts, while growing the local agricultural industry and increasing levels of self-sufficiency and sustainability 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. 2419 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. 2404 Agriculture and Environment on S.B. No. 2358

The purpose and intent of this measure is to appropriate \$4,250,000 for the Department of Land and Natural Resources' Native Resources and Fire Protection Program and for the Hawaii Invasive Species Council to address the invasive species crisis in the State.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Farm Bureau, Sierra Club of Hawai'i, Coordinating Group on Alien Pest Species, Ka 'Ohana O Na Pua, and three individuals.

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

Your Committee finds that despite the growing threat of invasive species in the State, annual net funding allocation for the Hawaii Invasive Species Council (Council) has not increased in over four years. Your Committee recognizes that approximately ninety percent of the Council's funding is used as bridge funding to supplement strategic interagency projects and programs under other state agencies

and as competitive grants for innovative projects that address invasive species prevention, control, outreach, and research. This measure will provide necessary funding for the Council to ensure its viability to control and eradicate invasive species 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. 2358 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. 2405 Agriculture and Environment on S.B. No. 2359

The purpose and intent of this measure is to appropriate an unspecified amount of funds to support the Hawai'i 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, Hawaii Pest Control Association, Sierra Club of Hawai'i, Hawai'i Farm Bureau, Coordinating Group on Alien Pest Species, O'ahu Invasive Species Committee, North Shore Neighborhood Board No. 27, Ka 'Ohana O Na Pua, and five individuals.

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

Your Committee finds that the Hawai'i Ant Lab was established in 2009 to address the overwhelming need for research and assistance to address and eradicate little fire ants and other invasive ants in the State. Your Committee recognizes that little fire ants have caused significant disruption and economic damage on Hawaii island and that little fire ant infestations on Oahu are currently on the rise. According to testimony received by your Committee, this measure will provide desperately needed funding for the Hawai'i Ant Lab to fully fund current staff and add new staff; address the short- and long-term needs to control little fire ants; develop new tools to manage more widespread infestations; and increase extension services to support severely impacted farms and industries.

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. 2359 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. 2406 Agriculture and Environment on S.B. No. 2560

The purpose and intent of this measure is to require each lease that the Department of Agriculture (Department) enters into, renews, or extends after a certain date to contain provisions that allow the Department to:

- (1) Enter the premises at any time to identify, investigate, control, or eradicate invasive species; and
- (2) Terminate the lease if the lessee:
 - (A) Refuses the Department entry; or
 - (B) Is found in violation of any applicable law, rule, or order relating to the control or eradication of invasive species.

Your Committee received testimony in support of this measure from the Department of Agriculture, Sierra Club of Hawai'i, Coordinating Group on Alien Pest Species, O'ahu Invasive Species Committee, and four individuals.

Your Committee received comments on this measure from the Hawai'i Farm Bureau.

Your Committee finds that invasive species have become one of the most devastating problems impacting the State's environment and economy. Your Committee recognizes that the cost to prevent the cultivation and spread of invasive animals, insects, weeds, diseases, and other pests is substantially less than the cost to contain or eradicate them, and believes that the State should be utilizing all possible preventative measures to limit the spread of invasive pests in the State. This measure will help ensure that lessees of state agricultural lands do not spread invasive pests that are detrimental to the agricultural industry and natural resources of the State.

According to testimony received by your Committee, this measure addresses a gap in invasive pest detection and eradication. Your Committee further recognizes the existing staffing shortages at the Department of Agriculture and notes that requiring a lessee to maintain control of any invasive pests on the leased premises would mitigate the cultivation and spread of any invasive pests on state agricultural land.

Accordingly, your Committee has amended this measure by:

- (1) Replacing references to "invasive species" with "invasive pest" and inserting a definition of "invasive pest";
- (2) Inserting language that allows the Department of Agriculture to:
 - (A) Enter leased state lands to survey for invasive pests; and
 - (B) Require a lessee to maintain control of any invasive pests on the leased premises, at the lessee's expense; 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. 2560, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2560, 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 (DeCoite, Richards).

SCRep. 2407 Agriculture and Environment on S.B. No. 2479

The purpose and intent of this measure is to:

- (1) Establish the Hawaii Farm to Food Bank Program and the Hawaii Food Assistance Program Special Fund to alleviate food shortages in the State; and
- (2) Appropriate \$5,000,000 into and out of the Hawaii Food Assistance Program Special Fund.

Your Committee received testimony in support of this measure from the Department of Agriculture; Office of Economic Revitalization of the City and County of Honolulu; one member of the Kauai County Council; Kauai Climate Action Coalition; Hawai'i Farmers Union United; Hawaii Food Industry Association; Hawai'i Farm Bureau; Hawaii Primary Care Association; Kaiser Permanente Hawai'i; Hawaii Cattlemen's Council, Inc.; Hawai'i Public Health Institute; Young Brothers, LLC; Hawai'i Foodbank, Inc.; Hawaii Chapter of 350.org; Giving Hope Hawaii; Hawai'i Alliance for Progressive Action; Aloha Diaper Bank; 'Elepaio Social Services; Waianae Coast Comprehensive Health Center; Angel Network Charities, Inc.; Armed Services YMCA Hawaii; Hawai'i Pacific Health; Kapaa Missionary Church; and twenty-eight individuals.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that Hawaii's food banks have provided food to residents who experience food insecurity throughout the years, especially during the coronavirus disease 2019 (COVID-19) pandemic. Food banks were able to meet this increased need during the height of the COVID-19 pandemic due to a major increase in federal funds and philanthropy. However, funding from these sources has declined considerably since, and Hawaii's food banks will need additional support to continue to meet the State's food needs. According to testimony received by your Committee, farm to food bank programs are essential to create a more equitable distribution of fresh, nutritious, and locally sourced produce in the State. This measure will support the efforts of Hawaii's food banks and provide local food producers with a wider market to support their operations, while keeping moneys circulating within the State to boost the local economy.

Your Committee recognizes the concerns raised by the Department of the Attorney General as the measure is unclear as to why the Hawaii Farm to Food Bank Program established by this measure cannot be implemented successfully under the general fund appropriation process. Your Committee notes that the Governor has appropriated \$750,000 in the proposed supplemental budget for fiscal year 2024-2025 to fund a farm to food bank program, and respectfully requests that this concern be considered as this measure moves forward in the legislative process.

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

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2479, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2479, 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. 2408 Agriculture and Environment on S.B. No. 2083

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture's Aquaculture Development Program to conduct a feasibility study to identify potential sites in the State for restorative aquaculture activities; and
- (2) Require the Department of Agriculture to submit a report to the Legislature no later than twenty days before the Regular Session of 2025; and
- (3) Appropriate \$300,000 for the Department of Agriculture's Aquaculture Development Program to conduct a feasibility study to identify potential sites in the State for restorative aquaculture activities.

Your Committee received testimony in support of this measure from the Department of Agriculture and the Hawai'i Farm Bureau.

Your Committee finds that restorative aquaculture is a sustainable opportunity for food production that can also benefit the ocean and climate. Your Committee recognizes that the State is well-positioned and suited for restorative aquaculture activities because of its favorable climate, critical ocean biosecurity through natural isolation, and high seafood consumption. According to testimony received by your Committee, thorough planning is necessary to sustain initiatives that incorporate conservation benefits with good aquacultural practices. The identification of viable locations for restorative aquaculture activities as provided in this measure will support proper permitting, efficient resource allocation, and community support for projected activities.

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

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2083, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2083, 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. 2409 Agriculture and Environment on S.B. No. 2412

The purpose and intent of this measure is to:

- (1) Establish the Aquaculture Advisory Committee within the Department of Agriculture; and
- (2) Appropriate an unspecified amount of funds for the establishment of the Aquaculture Advisory Committee.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau.

Your Committee received comments on this measure from Department of Agriculture and Department of the Attorney General.

Your Committee finds that the growth of the State's aquaculture industry increases the economic resilience and food sustainability of the State. According to testimony received by your Committee, the farm gate value of Hawaii's aquaculture industry is \$80,000,000, making aquaculture the second-highest contributor to the economy in diversified agriculture. Your Committee recognizes that more investment and research into the aquaculture industry is necessary to strengthen and build the capacity for this growing industry. This measure will establish an advisory committee to provide expert and credible guidance to the State's aquaculture development sector.

Your Committee has amended this measure by:

- (1) Inserting language requiring a representative of the Hawai'i Farm Bureau that is experienced in aquaculture to serve as a member of the advisory committee;
- (2) Inserting language clarifying that the members of the advisory committee shall serve without compensation, but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties;
- (3) Inserting an appropriation amount of \$50,000; 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. 2412, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2412, 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. 2410 Agriculture and Environment on S.B. No. 2794

The purpose and intent of this measure is to appropriate an unspecified amount of funds to the Department of Agriculture for:

- (1) A meat inspection program; and
- (2) Costs for meat inspection services under chapter 159, Hawaii Revised Statutes, including the establishment of one full-time equivalent (1.0 FTE) meat inspection program supervisor position and three full-time equivalent (3.0 FTE) meat inspector positions.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawaii Cattlemen's Council, Inc.; Land Use Research Foundation of Hawaii; Hawai'i Farmers Union United; Hawai'i Farm Bureau; Maui County Farm Bureau; and one individual.

Your Committee finds that the inspection of livestock prior to slaughter is a critical step to ensuring the quality and safety of the State's locally produced meat supply. Your Committee further finds that the State's meat inspection program was discontinued in the mid-1990s and since then, the State has been wholly relying on the United States Department of Agriculture Food Safety Inspection Service to perform meat inspection services statewide. Your Committee believes that the restoration of a state meat inspection program will grow local meat production while maintaining food safety standards. Your Committee notes that this measure can also address issues relating to invasive axis deer and wild boars as the expansion of the State's meat processing capacity includes increasing the local supply of wild game meat. This measure will promote the continued growth of the State's livestock industries by establishing meat inspection positions in the Department of Agriculture.

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. 2794, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2794, 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. 2411 Agriculture and Environment on S.B. No. 2414

The purpose and intent of this measure is to:

- (1) Establish the Sustainable Food Systems Working Group to develop an interagency food systems plan and submit a report to the Legislature before the Regular Session of 2025;
- (2) Establish an unspecified number of full-time equivalent sustainability specialist positions within the Department of Agriculture; and

- (3) Appropriate an unspecified amount of funds for these positions and for the establishment and operation of the Sustainable Food Systems Working Group.

Your Committee received testimony in support of this measure from the Department of Agriculture, University of Hawaii System, Kauai Climate Action Coalition, Hawaii Food Industry Association, Hawai'i Farm Bureau, Hawai'i Farmers Union United, Hawai'i Alliance for Progressive Action, Local Food Coalition, Food+ Policy, Beyond Organic Consulting Inc., and thirty-six individuals.

Your Committee finds that food security is a critical issue in the State. Your Committee notes that the State imports eight-five percent of its food, making it vulnerable to natural and human disasters. Your Committee believes that the State should be proactive in making its local food production more resilient and further finds that the development of a sustainable food system for the State would enhance the environmental, economic, and social health of all communities in the State. According to multiple testimonies received by your Committee, a coordinated food systems plan lead by key stakeholders across the State's food systems is critical to developing a sustainable and equitable food economy.

Your Committee notes that this measure contains an unspecified appropriation amount for the establishment of an unspecified number of sustainability specialist positions within the Department of Agriculture and for the establishment and operation of the Sustainable Food Systems Working Group. 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 \$75,000.

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. 2414, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2414, 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. 2412 Agriculture and Environment on S.B. No. 2423

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture to establish a Healthy Soils Program (Program); and
- (2) Appropriate \$500,000 for the establishment of the Program and to issue awards and other financial incentives pursuant to the Program.

Your Committee received testimony in support of this measure from the Kauai Climate Action Coalition; Hawai'i Forest Industry Association; Hawaii Cattlemen's Council, Inc.; Hawai'i Farm Bureau, Hawai'i Farmers Union United; Democratic Party of Hawai'i; Hawai'i Alliance for Progressive Action; Hawaii Food+ Policy; Haleakala Biochar; Beyond Organic Consulting Inc.; and twenty-five individuals.

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

Your Committee finds that healthy soils are critical for the State to meet its local food production and carbon sequestration goals. According to testimony received by your Committee, soils in Hawaii continue to recover from a century of sugarcane and pineapple production as high levels of commercial monocrop farming have been proven to deplete nutrients, reduce the biodiversity of insects and microbes that are beneficial to soil health, and cause soil erosion. Your Committee recognizes that soil conservation is necessary for food security and, in the face of invasive pests and increasingly extreme climate events, a healthy soils program is necessary to ensure future local food production. This measure will establish a plan and standards for healthy soil development and conservation, and provide small farmers, ranchers, and landowners with education, assistance, and incentives to improve the soil health and build soil carbon stocks in the State.

Your Committee acknowledges the concerns raised by the Department of Agriculture that it does not have the expertise to establish and operate the Healthy Soils Program proposed in this measure.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that allows the Department of Agriculture to consult with or contract a third-party for any needed expertise; and
- (2) Making 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. 2423, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2423, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4; Ayes with Reservations (DeCoite). Noes, none. Excused, 1 (Awa).

SCRep. 2413 Agriculture and Environment on S.B. No. 2559

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture to inspect certain establishments that are at risk of spreading invasive pests;
- (2) Establish an invasive species placard program with correction and quarantine procedures; and
- (3) Appropriate an unspecified amount of funds to establish the invasive species placard program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Sierra Club of Hawai'i, Coordinating Group on Alien Pest Species, O'ahu Invasive Species Committee, and sixteen individuals.

Your Committee received testimony in opposition to this measure from the Department of Agriculture.

Your Committee received comments on this measure from the Department of the Attorney General, Ka 'Ohana O Na Pua, and Hawai'i Farm Bureau.

Your Committee finds that horticultural trade is one of the primary pathways through which invasive pests are spread around the State. According to testimony received by your Committee, color-coded placards, similar to the Department of Health's placard program to ensure food safety and cleanliness in restaurants and other foods establishments, could be effective in restricting the movement of plants from a nursery, farm, or agriculture-related business that are infested with invasive pests within each island and across the State.

Additional testimony received by your Committee notes that because the language of this measure does not establish a warrant procedure to obtain access to an establishment, its information, or records when permission is not granted, or access is denied, by the establishment, the access requirement in this measure may be subject to challenge under the Fourth Amendment of the United States Constitution.

Accordingly, your Committee has amended this measure by:

- (1) Inserting a warrant procedure similar to the procedure that the Department of Agriculture and counties follow to enter private property to control or eradicate any pests pursuant to section 141-3.6, Hawaii Revised Statutes;
- (2) Amending language regarding administrative hearings on the quarantine and treatment of products found to be potential invasive pest hazards to align with existing rules regarding administrative hearings under the Board of Agriculture;
- (3) Deleting the definition of "invasive pest" and replacing references to "invasive pest" with "pest" pursuant to section 150A-2, Hawaii Revised Statutes;
- (4) Inserting a definition for "establishment"; 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. 2559, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2559, 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 (DeCoite, Richards).

SCRep. 2414 Agriculture and Environment on S.B. No. 2411

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture to submit a report to the Legislature no later than twenty days before the Regular Session of 2025; and
- (2) Appropriate \$800,000 for the mitigation and control of the two-lined spittlebug and the recovery of areas affected by the infestation of two-lined spittlebugs.

Your Committee received testimony in support of this measure from the Department of Agriculture; Department of Land and Natural Resources; University of Hawai'i System; Ka 'Ohana O Na Pua; Ulupono Initiative LLC; Hawaii Cattlemen's Council, Inc.; Ponoholo Ranch, Limited; Larry Jeffs Farms, LLC; Hawai'i Farm Bureau; Coordinating Group on Alien Pest Species; Sierra Club of Hawai'i; Hawaii Leeward Planning Conference; and seven individuals.

Your Committee finds that the invasive two-lined spittlebug not only threatens the State's pasture lands and emerging cattle industry, but also the flora in watersheds and other natural areas critical to the environment and cultural resources of the State. According to testimony received by your Committee, the two-lined spittlebug not only damages forage grasses, but also leaves pasture land vulnerable to soil loss and other invasive weeds, such as fireweed and wild blackberry. This measure will protect both the ranching industry and natural areas of the State against the effects of the two-lined spittlebug by funding the implementation of chemical and mechanical controls, biocontrol and best practices for managing pasture lands, and the reseeding of areas affected by infestation.

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. 2411, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2411, 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. 2415 Agriculture and Environment on S.B. No. 2361

The purpose and intent of this measure is to:

- (1) Establish two grant specialist positions within the Department of Agriculture; and

- (2) Appropriate an unspecified amount of funds for the establishment of the two grant specialist positions.

Your Committee received testimony in support of this measure from the Department of Agriculture; Maui County Farm Bureau; Land Use Research Foundation of Hawaii; Ka 'Ohana O Na Pua; Ulupono Initiative LLC; Hawaii Floriculture and Nursery Association; Hawai'i Farm Bureau; Local Food Coalition; Ponoholo Ranch, Limited; and five individuals.

Your Committee finds that there are many federal funding opportunities for agricultural purposes that remain untapped or overlooked due to the lack of adequate grant writing and expertise in the Department of Agriculture. This measure will enhance the Department's capacity to pursue and maximize the availability of federal funds to bolster the State's efforts towards food security and sustainability, while easing the burden of complex application procedures and compliance challenges to farmers, ranchers, and other agricultural operators that pursue federal and other funding.

Your Committee has amended this measure by:

- (1) Inserting an appropriation amount of \$225,000; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2361, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2361, 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. 2416 Health and Human Services on S.B. No. 2538

The purpose and intent of this measure is to require the Department of Health to prioritize full funding for services, programs, and staff positions under its jurisdiction on the island of Molokai.

Your Committee received testimony in support of this measure from one member of the Maui County Council and two individuals.

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

Your Committee finds that, due to the insufficient number of Department of Health staffing on-island and the lack of efficient and affordable transportation to neighbor islands for care, Molokai residents are at a disproportionate risk of having their mental health conditions worsen. This measure addresses this situation by ensuring funding for Department of Health programs and staffing for the island of Molokai.

Your Committee notes testimony by the Department of Health acknowledging the insufficient number of its staffing on Molokai and requesting an appropriation for additional positions for substance abuse treatment and outreach to the community on Molokai as follows:

- (1) One Substance Abuse Specialist; and
- (2) Four social workers (HSP III), with at least one social worker trained to provide services for children and adolescents.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Health is required to fully fund services, programs, and staff positions under its jurisdiction on the island of Molokai;
- (2) Inserting language that makes an appropriation in an unspecified amount to the Department of Health for the establishment and implementation of a suicide prevention program grounded in Native Hawaiian cultural healing; 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. 2538, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2538, 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. 2417 Health and Human Services on S.B. No. 3129

The purpose and intent of this measure is to:

- (1) Establish the Hui Ho'omana Task Force within the State Health Planning and Development Agency to develop a comprehensive plan to provide universal access to equitable and affordable high-quality health care for state residents; and
- (2) Require the Hui Ho'omana to submit reports to the Legislature.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Department of Human Services, State Health Planning and Development Agency, State Council on Developmental Disabilities, Hawai'i - American Nurses Association, AARP Hawai'i, University of Hawai'i System, Hawaii Association of Health Plans, Hawai'i Primary Care Association, The Queen's Health System, Hawaii Medical Service Association, and six individuals.

Your Committee received comments on this measure from Hawai'i Pacific Health, Healthcare Association of Hawaii, and Kaiser Permanente.

Your Committee finds that Hawaii residents deserve universal access and equity to quality health care at an affordable cost. However, the State faces daunting workforce shortages in health care; unacceptable gaps in access to primary and specialty care particularly in rural areas and neighbor islands; inequities among Native Hawaiian, Pacific Islander, and low-income kupuna and keiki populations; unnecessary administrative complexity; and rapidly rising costs. This measure seeks to address these issues by establishing a task force to make recommendations to achieve universal access and equity to quality health care at an affordable cost for state residents.

Your Committee notes the testimony of Hawaii – American Nurses Association requesting that its Executive Director, rather than its president, be invited as a voting member on the task force. Your Committee also notes the testimony of AARP Hawaii, formerly known as the American Association of Retired Persons, requesting that the measure reflect its current name.

Accordingly, your Committee has amended this measure by:

- (1) Replacing the President of the Hawaii Nurses Association with the Executive Director of the Hawaii – American Nurses Association;
- (2) Changing the name of the American Association of Retired Persons to AARP Hawaii;
- (3) Requiring the task force to submit its final report to the Legislature before its dissolution date of July 1, 2025, rather than before the conclusion of the Regular Session of 2025;
- (4) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the 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. 3129, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3129, 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. 2418 Agriculture and Environment on S.B. No. 2363

The purpose and intent of this measure is to:

- (1) Establish a two-year pilot project to examine the effectiveness of prosecuting agricultural crimes in the City and County of Honolulu and County of Kauai; and
- (2) Appropriate \$200,000 for the establishment and implementation of the two-year pilot project.

Your Committee received testimony in support of this measure from the Department of Agriculture; Agribusiness Development Corporation; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; and one individual.

Your Committee finds that the City and County of Honolulu suffered the highest rates of theft or vandalism of all farms in the State and that the County of Kauai suffered the third highest rates of theft or vandalism of all farms in the State. Your Committee notes that agricultural crimes, including agricultural theft and vandalism, increase the costs of production and decrease the chances for farming and ranching operations to succeed. Your Committee recognizes that the Legislature passed Act 217, Session Laws of Hawaii 2019, established a two-year Agricultural Theft and Vandalism Pilot Program to examine the effectiveness of prosecuting agricultural theft and vandalism cases in the counties of Hawaii and Maui, including cases of theft and vandalism that affect individuals who are not full-time farmers or ranchers. According to testimony received by your Committee, replication of this pilot program will provide resources to suppress incidences and losses to farmers, ranchers, aquaculturists, and floriculturists 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. 2363 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 (Richards).

SCRep. 2419 Labor and Technology on S.B. No. 3370

The purpose and intent of this measure is to make appropriations to:

- (1) Establish three permanent full-time equivalent (3.0 FTE) Human Resources Specialist V positions within the Department of Human Resources Development; and
- (2) Fund operating, equipment, supplies, promotional materials, marketing, advertising, training, and travel costs for up to fifty intern positions to implement and manage the Intern Glide Path Program.

Your Committee received testimony in support of this measure from the Department of Human Resources Development.

Your Committee finds that the State is currently going through a labor shortage. Your Committee also finds that the Department of Human Resources Development is committed to filling state civil service vacancies with our local workforce, including recent graduates of Hawaii high schools, community colleges, and universities. This measure will allow the Department to establish and manage an Intern Glide Path Program that could identify and map certificate and degree requirements of state jobs to high school and community college Career and Technical Education programs, bridging the gap of high school or community college graduates, with a career path into an internship, and then into civil service positions within the State's Executive Branch.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount for the establishment of Human Resources Specialist V positions from \$213,048 to an unspecified amount;
- (2) Changing the number of Human Resources Specialist V positions to be established from three permanent full-time equivalent (3.0 FTE) positions to an unspecified number;
- (3) Changing the appropriation amount for the implementation and management of the Intern Glide Path Program from \$2,000,000 to an unspecified amount;
- (4) Changing the number of intern positions intended for the Intern Glide Path Program from fifty to an unspecified number;
- (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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3370, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3370, 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. 2420 Labor and Technology on S.B. No. 2991

The purpose and intent of this measure is to require the Hawaii Labor Relations Board to establish criteria for the creation of new bargaining units and for the Board to apply those criteria in approving or denying any new bargaining units before submission to the Legislature.

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

Your Committee received comments on this measure from the Hawai'i Labor Relations Board.

Your Committee finds that the legislature currently holds exclusive authority to determine the standards and criteria, and to statutorily designate new bargaining units through legislation. Your Committee also finds that existing law does not set forth specific, clear procedures and criteria in creating a new bargaining unit. This measure requires the Hawaii Labor Relations Board to establish criteria for creating new bargaining units, accept and review applications for the creation of new bargaining units by applying the criteria, and upon the Board's approval of an application, submit a report and proposed legislation to the Legislature for consideration and enactment.

Your Committee has amended this measure by:

- (1) Clarifying that any employee, employer, or exclusive representative may submit an application to the Hawaii Labor Relations Board proposing to establish a new bargaining unit;
- (2) Specifying the minimum criteria the Hawaii Labor Relations Board must consider in determining the appropriateness of a new bargaining unit;
- (3) Clarifying that the proposed legislation the Hawaii Labor Relations Board is required to submit to the Legislature shall be accompanied by a Decision and Order issued by the Board;
- (4) Inserting a blank appropriation amount to be expended for the purposes of this measure, including the establishment of an unspecified number of full-time equivalent staff positions; 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. 2991, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2991, 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. 2421 Labor and Technology on S.B. No. 2351

The purpose and intent of this measure is to:

- (1) Amend chapter 202, Hawaii Revised Statutes, which governs the Hawaii Workforce Development Council, 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) Require the Board to assist the Governor in coordinating local workforce development boards to improve the 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 Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, IATSE Local 665, and one member of the State of Hawaii Workforce Development Council.

Your Committee received comments on this measure from the Chamber of Commerce Hawaii, one member of the State of Hawaii Workforce Development Council, and one individual.

Your Committee finds 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 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 amends 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 Committee has amended this measure by:

- (1) Restoring the title of Chapter 202-201, Hawaii Revised Statutes (HRS), to “Hawaii Workforce Development Council” from “Hawaii Workforce Development Board”;
- (2) Restoring language in existing law providing that the advisory commission on employment and human resources is hereby constituted as the Workforce Development Council;
- (3) Clarifying that the Workforce Development Council is administratively attached to the Department of Labor and Industrial Relations;
- (4) Restoring language in existing law that sets forth quorum requirements for the Workforce Development Council;
- (5) Restoring language in existing law that allows the Workforce Development Council to negotiate and enter into contracts to carry out its studies;
- (6) Deleting language that would have repealed section 202-5, Hawaii Revised Statutes, which provides that the Workforce Development Council is placed within the Department of Labor and Industrial Relations for administrative purposes and shall act in an advisory capacity to the Governor;
- (7) Amending section 1 to reflect its amended purpose;
- (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 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. 2351, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2351, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2422 Agriculture and Environment on S.B. No. 3027

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture, in cooperation with the Office of the Governor, to update and supplement the strategic plan to increase production and food security pursuant to Act 151, Session Laws of Hawaii;
- (2) Require the Department of Agriculture to submit a report to the Legislature twenty days before the Regular Session of 2025; and
- (3) Appropriate \$600,000 to update the strategic plan.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai‘i Farmers Union United; Hawaii Food Industry Association; Hawaii Cattlemen’s Council, Inc.; Hawai‘i Farm Bureau; Local Food Coalition; Kanalani Ohana Farm; and one individual.

Your Committee finds that although the Department of Agriculture’s 2020 “Report on the Strategic Plan to Double Local Food Production and Exports by 2030” provided suggestions to achieve substantial individual or cumulative increases in local food production and export, it must be updated with quantitative and qualitative goals and benchmarks for the State to achieve goals related to the doubling of local food production by 2030. The updates and supplements to the strategic plan proposed in this measure will address the changing landscape of the agricultural industry, especially considering the changes to global and local food systems resulting from the coronavirus disease 2019 pandemic.

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

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3027, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3027, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2423 (Joint) Health and Human Services and Judiciary on S.B. No. 2465

The purpose and intent of this measure is to:

- (1) Require the Department of Health to track and publicly report certain data relating to crisis reports, emergency mental health transports, and court-ordered treatments;
- (2) Require the Department of Health to respond to reports about persons having severe mental illness who are in need of assistance, assess whether those persons fulfill criteria for assisted community treatment, and coordinate the process for an assisted community treatment order if indicated;
- (3) 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; and
- (4) Make appropriations.

Your Committees received testimony in support of this measure from the Department of Health; Disability and Communication Access Board; Hawaii Substance Abuse Coalition; Institute for Human Services, Inc.; and three individuals.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees received comments on this measure from the Hawaii Disability Rights Center.

Your Committees find that there are many treatments available for psychological disabilities and that like many conditions, the sooner treatment is provided, the more successful the outcome. Crisis intervention centers could benefit from stronger data collection processes to maximize the benefits and development of crisis intervention services. This measure will help establish baseline metrics and improve and extend treatment for individuals with mental health issues.

Your Committees note that this measure, as currently drafted, contains an appropriation for an unspecified amount for the Department of Health to develop and implement educational and training activities for certain policies and respectfully requests that if your Committee on Ways and Means chooses to deliberate on this measure that it consider the figure most appropriate to accomplish its intended purpose. Your Committees further note that this measure references sections of existing law that are scheduled to repeal and in order to preserve these provisions, amendments to this measure are necessary to address this concern.

Accordingly, your Committees have amended this measure by:

- (1) Repealing the sunset date of June 30, 2024, for sections 334-161 and 334-162, Hawaii Revised Statutes, in Act 111, Session Laws of Hawaii 2017;
- (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 Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2465, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2465, 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 (Keohokalole).
Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 2424 (Joint) Labor and Technology and Education on S.B. No. 3090

The purpose and intent of this measure is to authorize newly graduated high school students to be eligible for workers' compensation coverage during the summer following their high school graduation while participating in Department of Education sponsored work-based learning programs.

Your Committees received testimony in support of this measure from the Department of Education and HawaiiKidsCAN.

Your Committees find that the Department of Education has prioritized work-based learning to promote workforce readiness among Hawaii high school students. As students transition from high school to their post-secondary plans, the Department of Education offers new graduates various supports during the summer following their graduation, including college and career advising, training, and internships. While the Department of Education has not incurred workers' compensation costs for students participating in Department-sponsored programs in the last five years, some prospective employers may be hesitant to host new high school graduates based on liability concerns. As hands-on learning in career and technical education programs provide students with a myriad of opportunities, this measure ensures the protection of students engaging in workforce readiness programs.

Your Committees have amended this measure by:

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

As affirmed by the records of votes of the members of your Committees on Labor and Technology and Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3090, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3090, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Lee).
 Education: Ayes, 4. Noes, none. Excused, 1 (Richards).

SCRep. 2425 Judiciary on S.B. No. 3384

The purpose and intent of this measure is to increase the amount each juror or prospective juror is paid for each actual day of attendance at court.

Your Committee received testimony in support of this measure from Rainbow Family 808 and ten individuals.

Your Committee received comments on this measure from the Judiciary.

Your Committee finds that increasing juror pay has a sustained impact on increasing economic and racial diversity in jury pools. Additionally, many other states pay jurors more than what jurors currently receive for their service in the State, with six states paying jurors \$50 per day and four states paying \$40 per day. Furthermore, Arizona, Indiana, Nevada, and North Dakota all pay jurors \$80 or more per full day of service. This measure will allow more people in the State to engage in their civic duties without experiencing financial harm.

Your Committee notes that the Judiciary's testimony estimates that the Judiciary will require an increase in annual funding of \$1,998,570 per year to increase juror pay from \$30 to \$100 per day.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3384 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 (Gabbard, Awa).

SCRep. 2426 Judiciary on S.B. No. 3351

The purpose and intent of this measure is to propose a constitutional amendment to prohibit discrimination against a person because of ethnicity, national origin, age, disability, or sex, including sexual orientation, gender identity, gender expression, pregnancy, and pregnancy outcomes.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, Democratic Party of Hawai'i, ACLU of Hawai'i, Rainbow Family 808, Stonewall Caucus of the Democratic Party of Hawai'i, Indivisible Hawaii, AAUW of Hawaii, and nine individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Hawai'i State Constitution reflects the unique history and cultural heritage of the State, for example by establishing protections for native Hawaiians, the environment and natural resources, and public wellness. However, your Committee believes that the Hawai'i State Constitution could be strengthened by adding an equal rights amendment to prohibit discrimination against ethnicity, national origin, age, disability, or sex. This measure will reaffirm the State's commitment to equality for all people 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3351, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3351, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
 Ayes, 3. Noes, none. Excused, 2 (Gabbard, Awa).

SCRep. 2427 Judiciary on S.B. No. 2514

The purpose and intent of this measure is to strengthen the State's tax laws by requiring attorneys who are applying for a pro hac vice appearance in the State's courts to provide:

- (1) Evidence of local counsel's Hawai'i business registration;
- (2) The applicant's Hawai'i general excise tax license number;
- (3) An affirmation that both the applicant and local counsel will pay all state income tax due for Hawai'i business activities; and
- (4) All other information or documentation required by the rules of the Hawai'i Supreme Court.

Your Committee received testimony in support of this measure from the Hawaii Association of Public Accountants and three individuals.

Your Committee received testimony in opposition to this measure from The Judiciary.

Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that out-of-state attorneys who practice in the State's courts pro hac vice may be unaware that they owe the State general excise tax. Unlike the general excise tax in most states, Hawai'i's tax applies to both gross rental income and gross service income. This measure will help inform attorneys of their state tax obligations by amending the process by which out-of-state attorneys are admitted to practice law in the State's courts.

Your Committee notes that the Hawai'i Supreme Court has begun to address the issue of informing pro hac vice attorneys of their state tax obligations by proposing rule changes.

Your Committee has amended this measure by:

- (1) Inserting an effective date of April 15, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2514, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2514, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2428 Labor and Technology on S.B. No. 2287

The purpose and intent of this measure is to clarify the duties of the Information Technology Steering Committee and the required contents of the Chief Information Officer's annual report of the Office of Enterprise Technology Services.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services and Transform Hawai'i Government.

Your Committee finds that the coronavirus disease 2019 pandemic elucidated the fact that technology underpins virtually every government service, and therefore it is essential for the State to develop applications that allow the public to access its services with ease. This measure will allow the Chief Information Officer to receive assistance from the Information Technology Steering Committee in developing a plan to enhance "hawaii.gov mobile", the mobile application developed by the State for the public to access the State's website.

Your Committee has amended this measure by:

- (1) Restoring the existing statutory duty of the Information Technology Steering Committee to assist the Chief Information Officer in developing State information technologies standards and policies; and
- (2) Making 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. 2287, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2287, 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. 2429 Labor and Technology on S.B. No. 2520

The purpose and intent of this measure is to:

- (1) Require the State to defend professionally licensed or certified state employees from civil actions when the employee's actions were within the scope of employment and were not grossly negligent or wanton, as long as the employee is cooperating with the State's defense;
- (2) Clarify that professionally licensed or certified state employees may employ their own attorney at the employee's own expense; and
- (3) Require that if the State declines to defend any state employee from a civil action on certain grounds when the State would generally do so, the Attorney General shall file a motion to withdraw as counsel.

Your Committee received testimony in support of this measure from the Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO and Hawaii Association for Justice.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that state employees currently must seek their own counsel should legal issues arise in the course of their assigned duties. This measure will provide legal protections for State employees when exercising their professional judgement in their capacity as a public employee in the pursuit of their assigned tasks.

Your Committee has amended this measure by:

- (1) Inserting language that requires the Attorney General to work with the employee to amicably transfer representation to the replacement counsel, and if unsuccessful, file a motion to withdraw as counsel;
- (2) Establishing a procedure that allows the Attorney General to withdraw from representing the employee without prejudicing the employee in the action or proceeding;
- (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 S.B. No. 2520, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2520, 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. 2430 Labor and Technology on S.B. No. 3362

The purpose and intent of this measure is to:

- (1) Authorize the temporary assignment of permanent legislative staff during the interim to executive or judicial branch agencies; and
- (2) Establish that while on temporary assignment, the temporarily assigned employee is still considered an employee of the Legislature and exempt from civil service.

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 Legislature convenes on a part-time schedule, remaining in session from mid-January through early May. However, during the interim period in which the Legislature is out of session, permanent legislative employees may be utilized to assist other state departments to ensure the continuity of essential state operations. Temporarily reassigning legislative employees may alleviate the workload of some understaffed state agencies. Therefore, this measure promotes efficient utilization of state resources and employees.

Your Committee notes that there may be further questions regarding the constitutionality and associated costs with this measure. Accordingly, your Committee respectfully requests that subsequent Committees to which this measure is referred consider these issues.

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. 3362, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3362, 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 (Ihara). Noes, none. Excused, none.

SCRep. 2431 Labor and Technology on S.B. No. 3070

The purpose and intent of this measure is to lower the Employees' Retirement System's funding period to amortize the System's total unfunded accrued liability.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Employees' Retirement System Board of Trustees.

Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the Employees' Retirement System (System) provides pensions to thousands of eligible retired state employees. Your Committee further finds that due to the System's long-term investment performance, the funding period in which the System is expected to be fully funded has steadily decreased from the forecasted thirty years in fiscal year 2015-2016 to twenty-four years in fiscal year 2021-2022. The strategy put in place by the Legislature on July 1, 2017, is accomplishing the original goals, and it is currently projected that the System's funded ratio will continue to improve, and the unfunded actuarial accrued liability is expected to decline year over year going forward. However, there have been changes in professional actuarial industry guidance on appropriate funding policies that now recommend a maximum liability funding period of twenty years or less. To enable the System to comply with this new policy, this measure amends the maximum funding period to amortize the total unfunded accrued liability of the System.

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. 3070 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. 2432 Labor and Technology on S.B. No. 2599

The purpose and intent of this measure is to:

- (1) Prohibit a board or commission from authorizing a base salary for a position; and
- (2) Prohibit an employee from receiving a base salary,

in excess of the amount designated in the budget enacted by the Legislature or other legislative enactment, unless approved by the Legislature.

Your Committee received comments on this measure from the Department of Human Resources Development and the Board of Regents of the University of Hawai'i.

Your Committee finds that salaries should be commensurate with appropriate qualifications and the gravity of the position. However, for certain state positions in the Executive Branch, a board and commission may have the authority to set a base salary. This measure provides for appropriate compensation for certain Executive Branch positions to ensure the accomplishment of state goals and operations.

Your Committee notes the discussion held during the public hearing on this measure that a more direct approach of having the Legislature approve the salary increases of all board and commission staff, and appropriate funds that it deems appropriate, may be preferable rather than giving the boards and commissions authority to set the salary of their staff but imposing limitations and requiring them to obtain legislative approval. Your Committee finds that this issue raises concerns that merit further consideration and respectfully requests further examination by subsequent committees to which this measure is referred.

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. 2599, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2599, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Ihara). Noes, none. Excused, none.

SCRep. 2433 Labor and Technology on S.B. No. 2711

The purpose and intent of this measure is to:

- (1) Require, in an event of a divestiture of a covered establishment, the successor employer to employ incumbent employees under certain circumstances; and
- (2) Establish a penalty for violations.

Your Committee received testimony in support of this measure from ILWU Local 142 and forty individuals

Your Committee received testimony in opposition to this measure from Hawai'i Restaurant Association, Society for Human Resource Management Hawaii, and Retail Merchants of Hawaii.

Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

Your Committee finds that Hawai'i's workers are currently not protected from being laid off following a divestiture. In some cases hundreds of workers can be laid off at a time at the will of the new employer. This measure grants workers protections against such practices and adds stability to their employment.

Your Committee has amended this measure by:

- (1) Inserting language that defines the term "substantially dissimilar";
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2711, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2711, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2434 Ways and Means on S.B. No. 2652

The purpose and intent of this measure is to authorize the state budget and state supplemental budget to contain information regarding vacant positions that the Director of Human Resources Development intends to reclassify or abolish.

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 Department of Budget and Finance.

Your Committee finds that the inclusion in the state budget and state supplemental budget of vacant positions that are expected to be reclassified or abolished will help to increase transparency and ensure those budgets more accurately reflect position counts.

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 S.B. No. 2652, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2652, 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 (Aquino, Hashimoto, Shimabukuro).

SCRep. 2435 (Joint) Judiciary and Health and Human Services on S.B. No. 2752

The purpose and intent of this measure is to appropriate funds to the Office of Elections Statewide Elections Accessibility Needs Advisory Committee to provide voter education and outreach services for individuals with accessibility needs.

Your Committees received testimony in support of this measure from the Statewide Voters with Accessibility Needs Advisory Committee and four individuals.

Your Committees received testimony in opposition to this measure from one individual.

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

Your Committees find that removing barriers for persons with voting accessibility needs ensures that all individuals have equal access to the voting process. Existing law requires the State Office of Elections and each county election office to address accessibility and ways to remove barriers. Your Committees believe that understanding the unique needs of each community statewide can provide valuable insight on current and future accessibility issues for voters. This measure will promote greater participation in voting by individuals with access needs who may otherwise be excluded.

Your Committees note that although the appropriation amount in this measure is an unspecified amount, the Statewide Voters with Accessibility Needs Advisory Committee's testimony requests an appropriation of \$10,000 for information gathering, outreach, and voter education expenses approved by the Committee.

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. 2752 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, none.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 2436 Labor and Technology on S.B. No. 3217

The purpose and intent of this measure is to require the Hawaii Employer-Union Health Benefits Trust Fund base composite monthly contribution to be adjusted annually beginning January 1, 2025, by increasing the contribution in effect on January 1, 2024 by 5.2 percent, and thereafter based on the changes in Medicare Part B premiums for the previous plan year.

Your Committee received testimony in support of this measure from the Hawaii Employer-Union Health Benefits Trust Fund.

Your Committee finds that the State's and counties' contribution to retiree health care benefits as an employer is based on a percentage of the Base Composite Monthly Contribution (BMC). The BMC changes each calendar year based on the change in Medicare Part B Premiums, which is a measure of national health care inflation. In some years, the publication of the next year's Medicare Part B premium occurs in early November, while the Hawaii Employer-Union Health Benefits Trust Fund conducts retiree open enrollment during the last two weeks of October. As a result, in some years, retirees may need to determine whether to enroll in the program without knowing the amount of their employer's contribution. This measure will benefit current and future retirees by creating a lag between the BMC changes and the open enrollment period.

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. 3217 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 (Lee).

SCRep. 2437 Labor and Technology on S.B. No. 2527

The purpose and intent of this measure is to:

- (1) Temporarily reinstate the Technology Infrastructure Renovation Tax Credit for taxable years beginning after December 31, 2023; and
- (2) Expand the definition of "technology-enabled infrastructure" to include data servers.

Your Committee received testimony in support of this measure from Servpac.

Your Committee received comments on this measure from the Department of Taxation, Department of the Attorney General, Hawaiian Telcom, IP Xpert of Honolulu, Chamber of Commerce Hawaii, and Hawaiian Electric, and Charter Communications.

Your Committee finds that data centers and fiber optic networks are key contributors to the development and expansion of the State's high-tech sector. These infrastructures facilitate the creation of high paying jobs in the technology industry, thereby diversifying the State's economy. By temporarily reinstating the Technology Infrastructure Renovation Tax Credit, this measure will further promote the development of the high-tech industry in the State that will lead to economic growth and job creation.

Your Committee has amended this measure by:

- (1) Deleting language that would have limited the tax credit to renovation costs for commercial buildings;
- (2) Extending the tax credit's reinstatement year from taxable years beginning after December 31, 2023, to December 31, 2024;
- (3) Clarifying that the tax credit is available for taxable years beginning after December 31, 2024, but shall not be available for taxable years beginning after December 31, 2026;

- (4) Clarifying the definition of “data server”;
- (5) Amending the definition of “renovation costs” to include the repair, replacement, monitoring, and testing of technology-enabled infrastructure machinery;
- (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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2527, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2527, 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. 2438 Labor and Technology on S.B. No. 578

The purpose and intent of this measure is to allow a retirant to be employed without reenrollment in the Employees’ Retirement System (ERS) and without loss or interruption of benefits provided by the ERS or under chapter 88, Hawaii Revised Statutes, if the retirant is employed as an investigator in a position identified by the Department of the Attorney General as a labor shortage or difficult-to-fill position, subject to certain conditions.

Your Committee received testimony in support of this measure from the Department of the Attorney General.

Your Committee received comments on this measure from Employees’ Retirement System.

Your Committee finds that the Department of the Attorney General has been experiencing difficulty in filling certain “investigator” positions that are critically important to the Department’s law enforcement capability and objectives. Your Committee also finds that these positions may be filled and performed by retiree’s, however doing so may have a detrimental impact on the retiree’s benefits under the ERS. This measure will help expedite the process for bringing trained, experienced investigators back to the work force.

Your Committee has amended this measure by:

- (1) Inserting language that requires the Director of Human Resources of the appropriate state jurisdiction or the human resources management chief executive of each county to include in their annual reports to the Legislature, details on the employment of retirants as investigators pursuant to this measure;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 578, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 578, S.D. 2, 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 (Ihara, Lee).

SCRep. 2439 (Majority) Labor and Technology on S.B. No. 560

The purpose and intent of this measure is to transfer the Workforce Development Division from being directly part of the Department of Labor and Industrial Relations to the Workforce Development Council, an entity that is administratively attached to the Department of Labor and Industrial Relations.

Your Committee received testimony in support of this measure from three individuals.

Your Committee received testimony in opposition to this measure from the Department of Labor and Industrial Relations; Department of Human Services; Office of Community Services; Hawai‘i Teachers Standards Board; United Public Workers, AFSCME Local 646, AFL-CIO; International Brotherhood of Electrical Workers Local Union 1260; Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO; Operating Engineers Local 3; Hawaii State AFL-CIO; Pride at Work – Hawai‘i; Hawai‘i Nurses Association, OPEIU Local 50; Hawaii Regional Council of Carpenters; Hawai‘i Workers Center; Kauai Coffee Company; IATSE Local 665; Hawaii Operating Engineers Local 3JAC; and two individuals.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the Workforce Innovation and Opportunity Act was passed by Congress to authorize state workforce development boards to drive the vision for a workforce system at the state and local levels and to lead in its implementation by engaging state and local partners, employers, and community members. Your Committee further finds that in response, the legislature created the Hawaii Workforce Development Council to carry out the vision and goals of the Workforce Innovation and Opportunity Act, by authorizing the Governor to appoint the council members and for the council and its staff to be administratively attached to the Department of Labor and Industrial Relations. Your Committee now finds that the Hawaii Workforce Development Council, rather than the Director of Labor and Industrial Relations, can better integrate and ensure the effectiveness of the various programs for workforce development and regional economic growth. Accordingly, this measure transfers the core employment and training programs currently under the Workforce Development Division of the Department of Labor and Industrial Relations to the Workforce Development Council.

Your Committee notes the various concerns raised in testimony on this measure, including that it would have civil service employees being overseen by noncivil service personnel; would take powers and responsibilities away from the Governor and place it

with a forty-one member council with little accountability powers, any insufficient experience with the complex issues and means of operation required to run the Workforce Development Division as intended. Testimony also raised that the Work Force Development Council is an advisory agency and was not meant nor is structured to be an administering agency. Your Committee finds that these issues merit further consideration and respectfully requests that subsequent committees to which this measure's referred examine the concerns.

Your Committee has amended this measure by inserting an effective date of July 1, 3000, 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. 560, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 560, 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, 1 (Fevella). Excused, 1 (Lee).

SCRep. 2440 (Joint) Health and Human Services and Public Safety and Intergovernmental and Military Affairs on S.B. No. 2463

The purpose and intent of this measure is to:

- (1) Authorize examination of defendants via telehealth;
- (2) Amend conditions for a defendant's release or examination of fitness to proceed;
- (3) Authorize the Department of Health to implement behavioral health crisis centers; and
- (4) Make an appropriation.

Your Committees received testimony in support of this measure from the Department of Health, The Judiciary, and Hawaii Substance Abuse Coalition.

Your Committees received comments on this measure from the Hawaii Disability Rights Center.

Your Committees find that telehealth services, including real-time video conferencing, adds needed flexibility to maximize efficiency and minimize travel costs. This measure will greatly aid in the completion of examinations ordered by the court to improve the government response to individuals suffering from serious mental illness.

Your Committees note that the language in Part II of this measure, which authorizes the Department of Health to implement behavioral health crisis centers and appropriates funds for such purposes, is already contained in other measures currently moving through the Legislature this session. Accordingly, amendments to this measure are necessary to address these concerns and to incorporate other recommendations raised in testimony.

Your Committees have amended this measure by:

- (1) Broadening the scope of the examiners who may conduct an examination of a defendant via telehealth to all examiners appointed by the court under chapter 704, Hawaii Revised Statutes;
- (2) Including facilities under the jurisdiction of the Director of Corrections and Rehabilitation among those facilities where examination of a defendant via telehealth may be conducted;
- (3) Clarifying that, in cases where the defendant was not subject to an order of commitment to the Director of Health for the purpose of the fitness examination under section 704-404(2), Hawaii Revised Statutes, the court may order that the defendant be released on terms and conditions the court determines necessary for placement in a group home, residence, or other facility prescribed by the Director of Health for further assessment by a clinical team, subject to other certain conditions;
- (4) Restoring existing statutory language that provides a seven day time frame for the Director of Health to report on a defendant committed to the Director's custody and deleting language that would have required the Director to report within fourteen days in certain circumstances;
- (5) Expanding the required content of the Director of Health's report to the court;
- (6) Inserting language that requires certain actions take place during the defendant's commitment to the custody of the Director of Health or release on certain conditions;
- (7) Inserting language that specifies that certain provisions of the measure shall not apply to any case under the jurisdiction of the family court unless the presiding judge orders otherwise;
- (8) Deleting Part II of the measure, which would have authorized the Department of Health to implement behavioral health crisis centers and appropriated funds for such purposes; 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 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. 2463, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2463, 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, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2441 (Joint) Health and Human Services and Public Safety and Intergovernmental and Military Affairs on S.B. No. 2246

The purpose and intent of this measure is to:

- (1) Establish an Expanded Crisis Intervention and Diversion Activities Program within the Department of Health to expand existing activities to divert those with mental health issues to appropriate health care services;
- (2) Define “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) Make appropriations for the Expanded Crisis Intervention and Diversion Activities Program and certification of law enforcement officers in mental health first aid and crisis intervention team model.

Your Committees received testimony in support of this measure from the Department of Health, The Judiciary, Hawaii Disability Rights Center, Hawaii Substance Abuse Coalition, and one individual.

Your Committees find that the people who suffer from mental illness or issues relating to drugs or alcohol are disproportionately issued citations for public intoxication and camping on sidewalks and other restricted places. Your Committees further find that many of those cited do not appear in court, which causes time and resources to be expended in the court system, with police and prosecutors caught in a revolving door situation. This measure expands existing services to better divert persons in crisis from the criminal justice system.

Your Committees note that this measure contains an appropriation for an unspecified amount and requests that the Department of Health determine the appropriate figure to be considered, should your Committee on Ways and Means choose to deliberate on this measure.

Your Committees have amended this measure by:

- (1) Amending the definition of “crisis intervention officer” to remove certification by the Department of Health;
- (2) Deleting language that would have allowed a crisis intervention officer to respond to a call for assistance from a law enforcement officer regarding a person believed to be imminently dangerous to self or others;
- (3) Designating that a person believed to be imminently dangerous to self or others by a law enforcement officer to be transported to a facility designated by the Director of Health, rather than a designated crisis center; 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 S.B. No. 2246, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2246, 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).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2442 Housing on S.B. No. 3121

The purpose and intent of this measure is to make housekeeping amendments to various sections of the Hawaii Revised Statutes to incorporate the definition of “housing project” to align with previous amendments.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority.

Your Committee finds that the Hawaii Public Housing Authority (HPHA) has a mandate to provide adequate and affordable housing, economic opportunity, and suitable living environments for low-income families and individuals. Past public housing concentrated poverty in certain urban neighborhoods, resulting in a variety of negative impacts to the residents. In response, the United States Department of Housing and Urban Development (HUD) is now encouraging the construction of mixed-income housing in more diverse neighborhoods as a way to deconcentrate poverty and promote stable, healthy communities. Further, the inclusion of income blind, unsubsidized units reduces the burden on taxpayers by reducing the gap financing needed for subsidized units. This measure will therefore help to reduce concentration of poverty and contribute to the economic and social diversity and stability of the community as a whole.

Your Committee further finds that following the conversion of a federal public housing property into a mixed finance redevelopment, HPHA will be required to execute a Mixed Finance Annual Contributions Contract with HUD. Under this agreement, the HPHA would be required to ensure that sufficient reserves are maintained to support the operation and maintenance of the project units. These financial reserves ensure that the affordable housing units in the project remain affordable throughout the life of the Master Development Agreement, and not just for a limited period of time. Therefore, this measure clarifies statutory references to provide for preserving the long-term affordability of redeveloped housing units.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3121 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. 2443 Higher Education on S.B. No. 2187

The purpose and intent of this measure is to:

- (1) Specify that the Labor Education Advisory Council shall be advisory to the President of the University of Hawaii on all activities and programs of the Center for Labor Education and Research; and
- (2) Require written responses addressing the Council's advice and adoption of resolutions by the President and Chancellor of the University of Hawaii, West Oahu campus.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations; University of Hawai'i System; Labor Education Advisory Council; United Public Workers, AFSCME Local 646, AFL-CIO; Hawaii State Teachers Association; University of Hawaii Professional Assembly; Hawaii State AFL-CIO; Unite Here! Local 5; and two individuals.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that Act 202, Session Laws of Hawaii 1976, established the Center for Labor Education and Research ("Center") to provide labor education and support labor organizations across the State. Similarly, the Labor Education and Advisory Council ("Council") was established to represent the trade union movement statewide. As the landscape of the State's labor force and resources has changed since the Center's founding, a working group was convened pursuant to House Resolution No. 142, Regular Session of 2023, to develop a community-driven vision for the Center's programs. The working group recommended amending existing law to expand the advisory capacity of the Council. As an invaluable resource to promote the State's rich labor history, your Committee further finds that additional support for the Center is needed. This measure expands the advisory capacity of the Council to promote greater community participation in labor education, research, and organization.

Your Committee has amended this measure by inserting language specifying that this measure is a matter of statewide concern.

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. 2187, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2187, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2444 (Joint) Higher Education and Public Safety and Intergovernmental and Military Affairs on S.B. No. 2284

The purpose and intent of this measure is to:

- (1) Establish a two-year program at the University of Hawaii to develop a wildfire forecast system for the State using artificial intelligence; and
- (2) Appropriate funds.

Your Committees received testimony in support of this measure from the University of Hawai'i System and Democratic Party of Hawai'i.

Your Committees received comments on this measure from the Department of the Attorney General and Maui Chamber of Commerce.

Your Committees find that preparedness of first responders enables the State to take proactive measures such as evacuation planning and home risk mitigation in the event of natural disasters and other acute emergencies. The reporting of accurate data from early detection systems can help reduce the total area burned and mitigate overall impacts of wildfire through rapid response and suppression efforts. This measure will enhance emergency management and preparedness procedures to better protect the State against future emergencies.

Your Committees have amended this measure by:

- (1) Inserting language specifying that this measure is 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 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 S.B. No. 2284, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2284, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Higher Education: Ayes, 5. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2445 Higher Education on S.B. No. 2502

The purpose and intent of this measure is to:

- (1) Require the University of Hawaii to establish and implement a two-year program to develop web-GIS wildfire susceptibility and vulnerability maps for the State to determine which communities, landscapes, buildings, and infrastructure are most vulnerable to future wildfires; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Democratic Party of Hawai'i, 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.

Your Committee finds that the State is susceptible to wildfire hazards. Following the August 2023 wildfires in Lahaina, additional resources, including maps and imaging of areas most vulnerable to wildfire risk, are needed to effectively plan, mitigate, and support communities statewide. Crucial data is needed to develop best mitigation strategies such as ecological forest management, defensible space, and development of greenbelts to reduce impacts of wildfires. This measure utilizes the research capabilities, outreach activities, and technical solutions from the University of Hawaii to provide full range data to help create informed policy decisions for areas most prone to wildfire risk.

Your Committee has amended this measure by:

- (1) Inserting language specifying that this measure addresses a matter of statewide concern; and
- (2) Making 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. 2502, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2502, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2446 Higher Education on S.B. No. 2634

The purpose and intent of this measure is to make appropriations 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 received testimony in support of this measure from the Department of Labor and Industrial Relations, University of Hawai'i System, University of Hawaii Professional Assembly, one member of the Maui County Council, The Queen's Health System, Healthcare Association of Hawaii, Ohana Pacific Health, and twelve individuals.

Your Committee received comments on this measure from the Hawai'i State Center for Nursing.

Your Committee finds that the State is experiencing a critical shortage of health care professionals, including nurses of all skill levels. Statewide, there is a thirty percent vacancy rate with two hundred eleven licensed practical nurse job openings. Presently, the University of Hawaii Maui College offers a certified nurse aide program to streamline entry of currently working certified nurse aides into the Licensed Practical Nurse Training Program. Additionally, support for nursing programs on the neighbor islands may motivate more prospective students to apply for nursing cohorts without prohibitive financial barriers. As nurses provide a crucial bridge between providers and patients, this measure expands educational opportunities to help alleviate the State's chronic health care shortage.

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. 2634 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. 2447 (Joint) Higher Education and Public Safety and Intergovernmental and Military Affairs and Water and Land on S.B. No. 3375

The purpose and intent of this measure is to:

- (1) Appropriate funds for the University of Hawaii College of Tropical Agriculture and Human Resources to establish a Central Oahu Wildfire Protection Plan, in consultation with the Department of Land and Natural Resources, community stakeholders, and nonprofit organizations that specialize in wildfire preparedness and mitigation programming; and
- (2) Require matching funds from United States Department of Agriculture Forestry Service Wildfire Defense grants.

Your Committees received testimony in support of this measure from the University of Hawai'i System and one individual.

Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that the threat of wildfires in the State has significantly increased, posing a threat to public health, safety, and natural resources. Presently, the United States Department of Agriculture Forest Service Community Wildfire Defense grant program assists at-risk communities to prevent the risk of wildfire. The Forest Service Community Wildfire Defense grant program also assists with the development of protection plans, which may be utilized by nonprofit organizations specializing in wildfire mitigation and prevention programming. According to the testimony of the University of Hawaii, protection plans serve as information gathering opportunities to determine projects for wildfire mitigation and prevention, which may be converted into opportunities for federal funding. To protect the State from future wildfire threats, this measure takes a proactive approach to fire safety and mitigation.

Your Committees have amended this measure by inserting language specifying that this measure is a matter of statewide concern.

As affirmed by the records of votes of the members of your Committees on Higher Education, 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. 3375, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3375, 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.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

Water and Land: Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 2448 (Joint) Health and Human Services and Commerce and Consumer Protection on S.B. No. 3239

The purpose and intent of this measure is to:

- (1) Require the Office of Wellness and Resilience to:
 - (A) Design and implement a three-year pilot program in collaboration with health care providers to acquire and forgive outstanding medical debt; and
 - (B) Submit a report to the Legislature; and
- (2) Make an appropriation for the establishment of the pilot program.

Your Committees received testimony in support of this measure from the Office of Wellness and Resilience; State Health Planning and Development Agency; The Queen's Health System; Holomua Collaborative; Leukemia & Lymphoma Society, Inc.; Hawai'i Children's Action Network Speaks!; American Cancer Society Cancer Action Network Inc.; Green Party of Hawai'i; Free Access Coalition; and thirty-one individuals.

Your Committees received comments on this measure from the Healthcare Association of Hawaii and RIP Medical Debt.

Your Committees find that medical debt can take a serious toll on a person's mental and physical well-being. Your Committees further find that despite the State's participation in Medicaid expansion through the Affordable Care Act, numerous households remain uninsured, incur medical debt from out of pocket costs for treatments that are not covered by insurance plans, and are financially burdened by increased cost-sharing. This measure will alleviate medical debt for residents in the State through the establishment of a pilot program to be designed and implemented by the Office of Wellness and Resilience.

Your Committees note the testimony of the Office of Wellness and Resilience requesting that the following language to be inserted into this measure:

- (1) The pilot program shall ensure that the collection of any specific personal information or health data is performed in compliance with the Health Insurance Portability and Accountability Act and is used for no purpose other than the acquisition and forgiveness of medical debt, provision of financial education, insurance, preventative measures, or similar assistance;
- (2) Program qualifiers shall include appropriate debt percentage to annual household income and poverty level percentage according to federal policy for Hawaii; and
- (3) Any prospective program structure shall include:
 - (A) Education on prevention strategies to avoid incurring future medical debt;
 - (B) Case management to connect recipients with any identified services needed; and
 - (C) Demonstration of executing formal agreements with health care entities, such as Health Insurance Portability and Accountability Act Business Associate agreements.

Your Committees find that the inclusion of this language into this measure merits further consideration and respectfully request that subsequent committees to which this measure is referred examine these issues.

Your Committees have amended this measure by:

- (1) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on 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. 3239, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3239, 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.

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 2449 (Joint/Majority) Health and Human Services and Commerce and Consumer Protection on S.B. No. 2123

The purpose and intent of this measure is to repeal the Certificate of Need Program.

Your Committees received testimony in support of this measure from Grassroot Institute of Hawaii and one individual.

Your Committees received testimony in opposition to this measure from the State Health Planning and Development Agency; Hawai'i Primary Care Association; Healthcare Association of Hawaii; Kaua'i Hospice, Inc.; Hawai'i Pacific Health; Kōkua Mau, A Movement to Improve Care; Hawaii Federation of Republican Women; Hawai'i Care Choices; and four individuals.

Your Committees received comments on this measure from UNITE HERE! Local 5 and U.S. Renal Care.

Your Committees find that the Certificate of Need Program is a critical tool to lower health care costs and protect patients in the State. However, at times, the Certificate of Need Program has inhibited equitable access to health care, including in rural areas and vulnerable populations. Limited options may lower the quality and accessibility to health care for many residents, leaving certain conditions untreated or without a high level of care. This measure repeals the Certificate of Need Program to improve the quality of and access to health care in the State.

Notwithstanding, your Committees note the concerns raised by the Healthcare Association of Hawaii regarding the complete repeal of the Certificate of Need Program. Presently, the Certificate of Need Program provides greater accessibility to expensive services that cannot realistically be supported in smaller communities and prevents exploitation of vulnerable populations. Additionally, the Certificate of Need Program facilitates transparency, accountability, and the opportunity for dialogue between providers seeking to expand services in the health care marketplace through independent agency review. As the Certificate of Need Program provides valuable services across the State, including rural areas and to vulnerable populations, retaining the Certificate of Need Program while providing for certain exemptions can promote efficiency and accessibility to high quality services within the health care system.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and inserting contents that exempt psychiatric services and chronic renal dialysis services from certificate of need requirements;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and 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. 2123, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2123, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Shimabukuro).

Commerce and Consumer Protection: Ayes, 2. Noes, 1 (Awa). Excused, 2 (McKelvey, Richards).

SCRep. 2450 (Joint) Health and Human Services and Commerce and Consumer Protection on S.B. No. 2180

The purpose and intent of this measure is to require:

- (1) The Department of Human Services' program requirements for chore services to include an assessment of whether the applicant has a family member who is available and capable of providing necessary chore services for the applicant;
- (2) Income eligibility standards for chore services to include an assessment of whether the individual has the ability to pay a portion of the cost of the chore services they receive; and
- (3) The Department of Human Services to improve access for disabled persons seeking chore services by taking certain actions and submitting a report to the Legislature.

Your Committees received testimony in support of this measure from one individual.

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

Your Committees find that the current Chore Services Program has accessibility flaws, including a restrictive disability ranking system, which can delay aid due to redundant paperwork and excessive recertification, and limits the scope for eligible applicants. This measure expands the Chore Services Program to increase access and impact of the program through updating the program's eligibility standards, seeking alternative funding sources, and streamlining application processes.

Your Committees have amended this measure by:

- (1) Deleting language that would have required income eligibility standards for chore services to include an assessment of whether the individual has the ability to pay a portion of the cost of the chore services they receive; 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. 2180, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2180, 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).

Commerce and Consumer Protection: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Richards).

SCRep. 2451 (Joint) Health and Human Services and Commerce and Consumer Protection on S.B. No. 2682

The purpose and intent of this measure is to:

- (1) Beginning January 1, 2025, require physicians to perform or order tests for lead poisoning in minor patients at certain intervals, and if the physician performs the test, require the results to be included in the minor patient's record of immunization;

- (2) Require the Department of Health to adopt rules to implement the mandated lead poisoning testing; and
- (3) Provide certain exemptions for the mandatory lead poisoning testing of minors.

Your Committees received testimony in support of this measure from the Department of Health and one individual.

Your Committees find that there is no safe level of lead. Even a small amount of lead in a child's blood can inhibit their ability to learn, pay attention, and succeed in school. Your Committees further find that the true prevalence of lead poisoning in the State is not known since less than one-third of children under the age of three were tested for lead poisoning in 2023.

Your Committees have amended this measure by:

- (1) Changing the placement of the new section on lead poisoning testing from chapter 325, Hawaii Revised Statutes, relating to infectious and communicable diseases, to chapter 321, Hawaii Revised Statutes, relating to the Department of Health;
- (2) Requiring the Department of Health to adopt recommendations rather than rules for the implementation of the mandated lead poisoning;
- (3) Removing language that would have established certain risk-based factors for the Department of Health's adopted recommendations;
- (4) Inserting language to require that the Department of Health adopt recommendations that establish that a minor residing in the State shall be considered at high risk to lead exposure and tested according to the Early and Periodic Screening, Diagnostic, and Treatment guidelines for children enrolled in Medicaid; and
- (5) Removing language that would have allowed the Department of Health to eliminate the lead poisoning testing requirements.

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. 2682, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2682, 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 (Shimabukuro).

Commerce and Consumer Protection: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Richards).

SCRep. 2452 Health and Human Services on H.B. No. 70

The purpose and intent of this measure is to:

- (1) Prohibit the sale or holding, offering, and distribution of hemp products that contain cannabinoids created through isomerization;
- (2) Exempt medical cannabis dispensaries from the prohibition; and
- (3) Insert the alternative name for Delta 6 cis or trans tetrahydrocannabinol, and their optical isomers into the list of schedule I controlled substances.

Your Committee received testimony in support of this measure from the Department of Law Enforcement and the Honolulu Police Department.

Your Committee received testimony in opposition to this measure from one individual.

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

Your Committee finds that there is currently a black market for psychoactive, hemp-derived CBD products that are not subject to regulation and oversight and are increasing in numbers. Isomerization is the process by which CBD, made from non-psychoactive hemp, is exposed to other easily obtained substances to create a different, now-psychoactive cannabinoid. Your Committee further finds that this isomerization process has introduced a newer, psychoactive CBD product currently unable to be regulated by existing statute. This measure will codify cannabinoids created through isomerization into existing regulatory statute as a schedule I controlled substance.

Your Committee notes the testimony of the Department of Health, requesting that the amendments to section 328G-3, Hawaii Revised Statutes, relating to medical cannabis dispensary licensees be deleted from this measure, as the concerns the amendments seek to resolve have been adequately addressed in statute and administrative rules adopted by the Department of Health. Amendments to this measure are therefore necessary to address this concern.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language relating to medical cannabis dispensary licensees to provide assurances that naturally occurring Delta 8 tetrahydrocannabinol can be used in medical cannabis products;
- (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 H.B. No. 70, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 70, 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. 2453 Health and Human Services on S.B. No. 2259

The purpose and intent of this measure is to:

- (1) Require each employer group health policy, contract, plan, or agreement and each individual and group hospital or medical service plan, policy, contract, or agreement issued or renewed by health insurers in the State after December 31, 2024, that provides coverage, to provide coverage for dental and vision preventative care, diagnosis, and treatment; and
- (2) Require every insurer and mutual benefit society to provide written notice to policyholders and members no later than December 31, 2025.

Your Committee received testimony in support of this measure from the Indivisible Hawaii Healthcare Team and four individuals.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, Hawai'i Primary Care Association, and Hawaii Medical Service Association.

Your Committee finds that dental and vision health is critical to the general health and well-being of the State's residents. Having access to adequate dental and vision health benefits enables people to see and eat better, work productively, go to school ready to focus on learning, and enjoy life.

Your Committee notes the concerns raised in testimony stating that the State's Medicaid program already provides coverage for vision and dental prevention, diagnosis, and treatment for all Medicaid beneficiaries. Your Committee also notes testimony pointing out that since the measure proposes to create a new proposed mandate of health coverage, the Auditor must be requested to prepare and submit to the Legislature a report that assesses both the social and financial effects of the proposed mandated coverage. Accordingly, 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 the State's Medicaid program to provide coverage for dental and vision preventative care, diagnosis, and treatment;
- (2) Inserting language requesting the Auditor to conduct a social and financial impact assessment report of the mandatory health insurance coverage under this measure; and
- (3) Inserting an effective date of December 31, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2259, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2259, S.D. 2, 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. 2454 Health and Human Services on S.B. No. 2492

The purpose and intent of this measure is to:

- (1) Allow the Governor to enter the State into the multi-state Nurse Licensure Compact, which will allow a nurse who is licensed by a home state to practice under a multi-state licensure privilege in each party state, effective January 1, 2026; and
- (2) Beginning January 1, 2026, allows the State Board of Nursing to charge different fees for registered nurses and licensed practical nurses who hold a multi-state license issued by the State.

Your Committee received testimony in support of this measure from the United States Department of Defense, University of Hawai'i System, Hawai'i State Center for Nursing, Hawai'i Pacific Health, The Queen's Health System, Hawaii Medical Services Association, Kaiser Permanente, Hawai'i Primary Care Association, Adventist Health Castle, Hawaii Military Affairs Council, Grassroot Institute of Hawaii, Hawaii Association of Health Plans, Hawai'i Care Choices, Healthcare Association of Hawaii, and two individuals.

Your Committee received testimony in opposition to this measure from the Hawai'i Association of Professional Nurses and two individuals.

Your Committee received comments on this measure from the Board of Nursing, Hawaii Health Systems Corporation, and Hawaii Association for Justice.

Your Committee finds that the Nurse Licensure Compact facilitates the State's responsibilities to protect public's health and safety by ensuring and encouraging the cooperation of party states in the areas of nurse licensure and regulation. Additionally, this compact facilitates the exchange of information between party states, promotes compliance with the laws governing the practice of nursing, and holds a nurse accountable for meeting all state practice laws in the state in which the patient is located at the time care is rendered through mutual recognition of party state licenses. Your Committee further finds that the Nurse Licensure Compact decreases redundancies in consideration of the issuance of nurse licenses and provides opportunities for interstate practice by nurses who meet uniform licensure requirements. Your Committee additionally finds that adopting the Nurse Licensure Compact will open job opportunities for military spouses and ease nursing shortages 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2492, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2492, 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 (Keohokalole).

SCRep. 2455 (Joint) Public Safety and Intergovernmental and Military Affairs and Transportation and Culture and the Arts on S.B. No. 2731

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 Veterans Caucus of the Democratic Party of Hawai'i and two individuals.

Your Committees find that veterans of the Iraq and Afghanistan conflicts sacrificed much in 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. 2731 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. 2456 (Majority) Transportation and Culture and the Arts on S.B. No. 2097

The purpose and intent of this measure is to repeal the regulation of motor carriers by the Public Utilities Commission.

Your Committee received testimony in support of this measure from Pacific Transfer, LLC.

Your Committee received testimony in opposition to this measure from the Hawaii Transportation Association; Aloha Trucking, Inc; B & C Trucking Co., Ltd; EC Trucking LLC; E Noa Corporation; Guava Express Inc.; Moniz Trucking LLC; Pohaku Equipment Services LLC; and Polynesian Adventure Tours, LLC.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs; Public Utilities Commission; and Ho'omana Pono, LLC.

Your Committee finds that existing state law requires regulation of the motor carrier industry to be conducted by the Public Utilities Commission. Your Committee further finds that there may be problems with the enforcement of motor carriers. This measure will address that problem by transferring authorization to regulate motor carriers to the counties. However, your Committee finds that transfer of this regulation may be premature at this time and believe that greater insight is necessary before enacting such a measure. Therefore, your Committee finds it necessary to convene a task force to further study this issue.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting language that establishes a task force to study motor carrier industry regulation in the State; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on 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. 2097, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2097, 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; Ayes with Reservations (Inouye). Noes, 1 (Awa). Excused, none.

SCRep. 2457 (Majority) Transportation and Culture and the Arts on S.B. No. 2350

The purpose and intent of this measure is to enhance the existing noisy exhaust pipe and muffler laws.

Your Committee received testimony in support of this measure from the Department of Transportation, Mopeds Direct, and three individuals.

Your Committee received testimony in opposition to this measure from Moped Doctors Inc. and three individuals.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that that many residents throughout the State, especially those in high-density areas, have complained about growing noise pollution and disturbances from low restriction mufflers on motor vehicles, predominantly motorcycles. Your

Committee further finds that while existing law prohibits vehicle owners from installing mufflers that increase the noise of their vehicle, the penalties are minimal and do little to deter violations. This measure will create distinct regulations, fines, and penalties for violating motor vehicle muffler restrictions in high-density areas.

Your Committee has amended this measure by:

- (1) Limiting the scope of motor vehicle muffler violations to counties with a population greater than five hundred thousand;
- (2) Repealing language that would have assessed a fine of not more than \$100 for each violation of motor scooter exhaust pipe and muffler regulations and inserting a tiered fine system;
- (3) Repealing language that would have assessed a fine of not less than \$25 and not more than \$250 for each separate offense of motor vehicle muffler regulations and inserting a tiered fine system;
- (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. 2350, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2350, 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. 2458 Transportation and Culture and the Arts on S.B. No. 2746

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;
- (2) Define “stevedoring company”; and
- (3) Exempt, under certain circumstances, vessels operating on behalf of an authorized intrastate or transpacific water property carrier holding a certificate of public convenience and necessity.

Your Committee received testimony in support of this measure from the International Longshore and Warehouse Union Local 142; Operating Engineers Local Union 3; Hawaii Ports Maritime Council; International Brotherhood of Electrical Workers Local 1186, AFL-CIO; Laborers’ International Union Local 368; Hawai‘i Gas; and more than two hundred individuals.

Your Committee received testimony in opposition to this measure from Hawaiian Cement; Hawai‘i Cost of Living Coalition; Hawaii Energy Marketers Association; Island Energy Services, LLC; Island Plastic Bags; Mendocino Forest Products, LLC; Par Hawaii; Retail Merchants of Hawaii; Contractors Association of Kaua‘i; General Contractors Association of Hawaii; and Maui Chamber of Commerce.

Your Committee received comments on this measure from the Department of Transportation, Public Utilities Commission, Aloha Marine Lines, Building Industry Association Hawaii, and Sause Bros.

Your Committee finds that as an island state, Hawaii relies significantly on imported goods that are processed by the State’s harbor system. Each day, approximately four hundred shipping containers arrive at Honolulu Harbor, including approximately three thousand tons of food. Tugs are utilized to tow large shipping vessels into the harbor. However, certain companies in the State are not required to use trained local longshore linespersons, or stevedores, to secure their operational vessels to the State’s docks. Therefore, this measure ensures continuity of shipping operations at state harbors while utilizing trained, certified staff who understand the State’s safety guidelines and best practices.

Your Committee notes that stakeholders are presently negotiating the language in this measure to promote safe labor practices that meet the demands of state harbor operations.

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. 2746, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2746, 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 (Inouye). Noes, none. Excused, none.

SCRep. 2459 Transportation and Culture and the Arts on S.B. No. 2747

The purpose and intent of this measure is to require the Director of Transportation to adopt rules that require tour aircraft operators to have aircraft liability insurance coverage not less than \$1,000,000 per person per incident.

Your Committee received testimony in support of this measure from Blue Hawaiian and one individual.

Your Committee received testimony in opposition to this measure from the Helicopter Association International and Aircraft Owners and Pilots Association.

Your Committee received comments on this measure from Hawaii Association for Justice.

Your Committee finds that there is currently no statute to set minimum insurance coverage for tour aircraft operations within the State. Your Committee further finds that requiring insurance coverage has become increasingly necessary given recent incidents involving helicopter crashes that resulted in catastrophic injury, loss of life, and substantial property damage. This measure will support safety and increased adoption of technology, equipment, and programs through increased insurance coverage.

Your Committee has amended this measure by:

- (1) Inserting language that will require the insurance coverage to be an unspecified percentage of the highest minimum required insurance at an international airport in the United States; and
- (2) Making 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. 2747, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2747, S.D. 1, and be 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. 2460 Transportation and Culture and the Arts on S.B. No. 2806

The purpose and intent of this measure is to:

- (1) Authorize all-terrain vehicle to drive on streets with posted speed limits of not more than forty-five miles per hour;
- (2) Authorize all-terrain vehicles to drive in the evening and night if they are equipped with headlights and tail lights;
- (3) Authorize drivers of all-terrain vehicles to wear a safety helmet with a securely fastened chin strap; and
- (4) Include in the definition of "utility-terrain vehicle" a motor vehicle that accommodates one driver and one passenger sitting side-by-side, and up to six people in seat belts.

Your Committee received testimony in support of this measure from one individual.

Your Committee received testimony in opposition to this measure from the Department of Transportation.

Your Committee finds that all-terrain vehicles, or ATVs, are designed to navigate a variety of terrains, providing farmers with the ability to access remote or challenging areas of their properties. Your Committee further finds that while all-terrain vehicles are versatile tools for different agricultural and recreational pursuits, it is important for farmers to prioritize safety when using all-terrain vehicles and adhere to proper operating procedures to prevent accidents and injuries. As the State has a vast network of roads that include both paved and off-road terrain, this measure establishes additional requirements for all-terrain vehicles.

Your Committee notes that stakeholders are holding ongoing discussions 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. 2806, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2806, 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. 2461 Transportation and Culture and the Arts on S.B. No. 3220

The purpose and intent of this measure is to:

- (1) Transfer the jurisdiction of the Motor Carrier Law from the Public Utilities Commission to the Department of Transportation;
- (2) Make conforming amendments; and
- (3) Make an appropriation.

Your Committee received testimony in support of this measure from the Department of Transportation; B & C Trucking Co., Ltd.; and Hawaii Transportation Association.

Your Committee received testimony in opposition to this measure from Pacific Transfer LLC.

Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that jurisdiction of the Motor Carrier Law is under the Public Utilities Commission in existing law. This measure, as introduced, would transfer jurisdiction to the Department of Transportation. While your Committee agrees that there are problems with the enforcement of the Motor Carrier Law, your Committee finds that transfer of the full jurisdiction of the Motor Carrier Law is inappropriate. Your Committee further finds that the Department of Transportation has a larger number of enforcement officers than the Public Utilities Commission and has a better presence throughout the State and therefore believe it is appropriate to transfer jurisdiction over the enforcement of the Motor Carrier Law to the Department of Transportation.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have transferred jurisdiction of the Motor Carrier Law from the Public Utilities Commission to the Department of Transportation except for the enforcement of the Motor Carrier Law;

- (2) Retaining language that keeps jurisdiction of the Motor Carrier Law's tariff oversight with the Public Utilities Commission;
- (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 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. 3220, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3220, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2462 (Joint) Water and Land and Public Safety and Intergovernmental and Military Affairs and Transportation and Culture and the Arts on S.B. No. 2088

The purpose and intent of this measure is to appropriate funds to the Department of Land and Natural Resources and the Department of Transportation for vegetation management projects to reduce the risks of wildfires across the State.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Emergency Management Agency, Hawai'i Forest Industry Association, and Hawaiian Electric.

Your Committees find that wildfires have become a significant hazard across the State and can have devastating impacts on our communities, native ecosystems, infrastructure, natural resources, cultural resources, and economies. Vegetation management, including clearing out firebreaks and removing buildups of flammable vegetation, is essential for mitigating wildfire hazards. The Department of Land and Natural Resources and Department of Transportation play critical roles in mitigating the risks of wildfires. However, these efforts remain ineffective due to a scarcity of funds and personnel. This measure will help to reduce the risk of wildfires by promoting vegetation management across the State.

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, 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. 2088, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2088, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Water and Land: Ayes, 4. Noes, none. Excused, 1 (McKelvey).
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. 2463 Health and Human Services on S.B. No. 545

The purpose and intent of this measure is to amend the law relating to Human Services.

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:

- (1) Amend the definition of "community care foster family home" to allow one additional Medicaid individual to be cared for in the same community care foster family home; and
- (2) Require the Department of Health to submit a report to the Legislature before the Regular Session of 2025.

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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 545, as amended herein, and recommends that it be recommitted to your Committee on Health and Human Services, in the form attached hereto as S.B. No. 545, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2464 Health and Human Services on S.B. No. 3115

The purpose and intent of this measure is to clarify when a relative seeking to be a resource caregiver for a child is entitled to an administrative appeal for denial of a foster home license.

Your Committee received testimony in support of this measure from the Department of Human Services and Department of the Attorney General.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that while there may be more than one suitable placement for a child when multiple relatives seek to be a resource caregiver, the Department of Human Services' administrative rules only allow for the issuance of one license to a suitable applicant. Applicants who meet the licensing standards, but are not selected for placement, often request an administrative hearing for review of the placement. Your Committee further finds that the Department of Human Services dismisses these requests for administrative review due to a lack of authority to decide on this placement issue, leading to an inefficient use of limited administrative resources and leaving applicants feeling frustrated and distrustful of the Department and court processes. This measure clarifies the

appropriate circumstances under which an administrative appeal for the denial of a foster home license may be utilized by a child's relative to prevent unnecessary frustration and use of resources for both the applicants and 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3115, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3115, 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 (Keohokalole).

SCRep. 2465 Health and Human Services on S.B. No. 3141

The purpose and intent of this measure is to:

- (1) Require the Department of Health to track and publicly report certain data relating to crisis reports, emergency mental health transports, and court-ordered treatments;
- (2) Require the Department of Health to respond to reports about persons having severe mental illness who are in need of assistance, assess whether those persons may fulfill the criteria for assisted community treatment, and coordinate the process for an assisted community treatment order if indicated;
- (3) 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;
- (4) Make an appropriation to the Department of Health for software and data collection and publication; and
- (5) Make an appropriation to the Department of Health for statewide education and training on policies related to emergency examination and hospitalization and assisted community treatment.

Your Committee received testimony in support of this measure from the Department of Health; Hawaii Substance Abuse Coalition; and The Institute for Human Services, Inc.

Your Committee received comments on this measure from The Queen's Health System and Hawaii Disability Rights Center.

Your Committee finds that the State has several key tools and programs to assist individuals having untreated severe mental illnesses, including court-ordered plans of treatment or "assisted community treatment" orders, involuntary commitments to the Hawaii State Hospital or a similar facility, court-ordered medication, and Department of Health crises programs. Your Committee further finds that there are areas for improvement in these programs to better understand the complexity of mental health crises in the State's health system, especially as available resources and needs change over time.

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. 3141, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3141, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2466 Health and Human Services on S.B. No. 3114

The purpose and intent of this measure is to:

- (1) Clarify that a confirmed report of harm or threatened harm, as defined in chapter 587A, Hawaii Revised Statutes, or child abuse and neglect, as defined in chapter 350, Hawaii Revised Statutes, will result in the perpetrator's name being maintained in the child abuse and neglect central registry;
- (2) Clarify when a confirmed report may be expunged from the central registry; and
- (3) Establish a process for expungement from the central registry upon request.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of the Attorney General, and one individual.

Your Committee received testimony in opposition to this measure from the Hawaii Coalition for Child Protective Reform.

Your Committee finds that the current central registry of individuals confirmed to be perpetrators of child abuse or neglect keeps individuals listed indefinitely in most cases. Being listed on the central registry can have serious consequences, including being barred from employment, volunteer opportunities, and adoption. Your Committee further finds that the current process for adding individuals to the central registry, and how that addition can be challenged, are not commonly understood. This measure clarifies the process of adding perpetrator names to the central registry; the process to challenge the results of a Department of Human Services' investigation; and the process for expungement from the central registry upon request.

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. 3114, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3114, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 2467 (Majority) Health and Human Services on S.B. No. 760

The purpose and intent of this measure is to require the Board of Psychology to establish a five-year pilot program to grant prescriptive authority to qualified psychologist applicants statewide.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation, Office of the Mayor of the County of Kaua'i, Hawai'i Health & Harm Reduction Center, Hawai'i Psychological Association, American Psychiatric Association, National Association of Social Workers - Hawai'i, The Hawaiian Islands Association for Marriage and Family Therapy, iNetmed Rx2 Inc., and thirty-two individuals.

Your Committee received testimony in opposition to this measure from Hawai'i Psychiatric Medical Association, Hawaii Medical Association, Philippine Medical Association of Hawai'i, Hawai'i Association of Professional Nurses, and twenty-nine individuals.

Your Committee received comments on this measure from the Department of Health, Department of the Attorney General, Board of Psychology, and one individual.

Your Committee finds that many residents of all ages in the State are experiencing untreated mental health crises. Concurrently, the State is experiencing a chronic shortage of health care providers with prescriptive authority to treat patients with mental health needs, creating lengthy wait times for prospective patients. This measure alleviates existing constraints on providers while also ensuring adequate safeguards to expand access to life-changing medication.

Your Committee has amended this measure by:

- (1) Clarifying that the Board of Psychology shall begin accepting applications on July 1, 2026 for prescriptive authority privilege and that an applicant for prescriptive authority shall have been originally licensed in the State before January 1, 2024;
- (2) Inserting language specifying that prescribing psychologists shall be prohibited from prescribing to:
 - (A) All persons under the age of eighteen years;
 - (B) All adults with serious mental illnesses, which includes all adults not suffering from anxiety or depression; and
 - (C) All persons who do not have a primary care provider who is a physician, psychiatrist, or advanced practice registered nurse with prescriptive authority, or is a patient in a clinic with a collaborative practice setting that has a physician, psychiatrist, or advanced practice registered nurse with prescriptive authority;
- (3) Prohibiting a prescribing psychologist from administering medications to a patient for a use that is not stated on the label as a prescribed use by the manufacturer or is otherwise not approved by the United States Food and Drug Administration;
- (4) Clarifying that the exclusionary formulary for prescribing psychologists consists of drugs or categories of drugs that include but are not limited to:
 - (A) A formulary with high safety profiles that includes some serotonin reuptake inhibitors and serotonin-norepinephrine reuptake inhibitors; and
 - (B) All prescription medications with a boxed warning issued by the United States Food and Drug Administration pursuant to title 21 Code of Federal Regulations section 201.5;
- (5) Requiring the Board of Psychology to collaborate with the appropriate department of the John A. Burns School of Medicine and submit its report to the legislature no later than twenty days prior to the convening of the Regular Session of 2028;
- (6) Repealing the sunset date, thereby making the program permanent;
- (7) Amending section 1 to reflect its amended purpose;
- (8) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 760, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 760, 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. 2468 Health and Human Services on S.B. No. 2289

The purpose and intent of this measure is to require the Department of Health to include in its annual report to the Legislature regarding Kalaupapa Settlement, details and updated information, as available, regarding the permanent transfer to other governmental entities of the powers and duties of the Department over Kalaupapa Settlement.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands.

Your Committee received comments on this measure from the Department of Health, Ka 'Ohana O Kalaupapa, and two individuals.

Your Committee finds that Kalaupapa, within Kalawao County on the island of Molokai, holds great significance in the State's history. As a settlement for patients with Hansen's Disease, many Hawaii residents were exiled to Kalaupapa to live out the rest of their lives. Under existing law, Kalaupapa Settlement is under the jurisdiction and control of the Department of Health. In recent years, the number of patients residing at Kalaupapa has declined, prompting the Department of Health and other relevant governmental agencies to prepare for the eventual transfer of jurisdiction over Kalawao County to another government agency when there are no longer patients residing in Kalaupapa, including the responsibility over infrastructure repairs and environmental remediation. This measure will keep the Legislature informed of this important transition.

Your Committee notes the testimony from various members of the Molokai community, including Ka 'Ohana O Kalaupapa. As longstanding stakeholders in the care of Kalaupapa Settlement and its patients, the community holds significant knowledge that may be critical to future plans by the Department of Health. As the Department commences plans for the transition, greater community engagement is needed to adequately plan for the future while remaining respectful of current patients. Accordingly, there is a need to amend this measure to promote greater community transparency and ensure accurate and detailed reporting of activities at Kalaupapa Settlement.

Your Committee has amended this measure by:

- (1) Requiring the Department of Health to report on its community engagement efforts, including with community groups and the Molokai community;
- (2) Clarifying that governmental agencies other than the Department of Hawaiian Home Lands or the federal government may assume transfer of Kalaupapa Settlement; 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. 2289, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2289, 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. 2469 Health and Human Services on S.B. No. 2603

The purpose and intent of this measure is to:

- (1) Require the Department of Human Services to establish and implement a Child Care Provider Subsidy and Bonus Program to provide subsidies to retain the existing child care workforce in licensed and registered child care; and
- (2) Appropriate funds for the Child Care Provider Subsidy and Bonus Program.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, Department of Research and Development for the County of Hawai'i, Hawai'i Children's Action Network Speaks!, Early Childhood Action Strategy, Holomua Collaborative, Aloha United Way, Chamber of Commerce Hawaii, 'Ahu Pūnana Leo, Kama'āina Kids, Hawai'i Association of School Psychologists, Hawai'i State Coalition Against Domestic Violence, The Samuel N. and Mary Castle Foundation, HPM Building Supply, Mana Up, Title Guaranty of Hawai'i, HE'E Coalition, PATCH, Chamber of Sustainable Commerce, Save Medicaid Hawaii, Democratic Party of Hawai'i Women's Caucus, University of Hawai'i System College of Education, aio Family of Companies, AAUW of Hawaii, and thirty-four individuals.

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

Your Committee finds that high quality child care programs are fundamental to thriving children, flourishing families, and a robust economy. An effective and well-trained early child care workforce is the cornerstone of these programs. However, early child care workers earn chronically low wages and experience high turnover rates. This measure will enhance recruitment and retention of a qualified early learning workforce in the State.

Your Committee notes the testimony of the Department of Human Services requesting licensed group child care homes to be included in the Child Care Provider Subsidy Program since they must comply with the same child care worker qualifications as licensed group child care centers, and for the University of Hawaii to be excluded from receiving subsidies and bonuses from the program as it is a public education institution. Your Committee also acknowledges the concerns raised by the Department of Human Services over some of the documents an applicant is required to submit to participate in the program due to duplicative verifications done at the employer level, and its concerns that it will be difficult for the Department to administer and oversee the program itself. The Department also requested use of the Child Care Grant Program Special Fund for the program, and an additional \$100,000 to hire a program specialist to implement and monitor the program. Accordingly, amendments to this measure are necessary to address these requests.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that allows licensed group child care homes to apply for and receive subsidies and bonuses under the Child Care Provider Subsidy Program;
- (2) Deleting language that would have required program applicants to provide proof of certain statuses;
- (3) Inserting language that requires program applicants to provide proof that the applicant and covered child care worker will not use state funds for any uses prohibited by law or as determined by the Department of Human Services;
- (4) Inserting language that makes the University of Hawaii or any of its entities ineligible to receive a subsidy or bonus pursuant to the program;
- (5) Inserting language that allows the Department of Human Services to have its designee administer the program's application process;
- (6) Inserting language that appropriates funds into and out of the Child Care Grant Program Special Fund for the Child Care Provider Subsidy Program;
- (7) Inserting language that appropriates \$100,000 to establish one full-time equivalent (1.0 FTE) Program Specialist position to carry out the implementation and monitoring of the program;
- (8) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2603, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2603, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2470 (Majority) Health and Human Services on S.B. No. 2245

The purpose and intent of this measure is to:

- (1) Clarify certain definitions under the Child Protective Act;
- (2) Clarify the circumstances when police officers shall assume protective custody of a child and when the Department of Human Services shall assume temporary foster custody of a child; and
- (3) Authorize the Department of Human Services to file a petition and seek an order for protective custody if there is reasonable cause to believe that a child is subject to imminent harm.

Your Committee received testimony in support of this measure from the Honolulu Police Department and CARES.

Your Committee received testimony in opposition to this measure from the Hawaii Coalition for Child Protective Reform, Hawaii Family Advocacy Group, and three individuals.

Your Committee received comments on this measure from the Department of the Attorney General, Department of Human Services, and the Judiciary.

Your Committee finds that protecting the health and safety of Hawaii's keiki is of paramount importance. Certain circumstances such as imminent danger to the child may warrant emergency action, including assumption of temporary custody of a child by a police department or temporary foster placement. This measure adequately balances the need for immediate government action to ensure safety of the child and the due process rights of the child's parents and legal guardians.

Your Committee notes the testimony of the Department of the Attorney General raising concerns that the measure does not provide for cases in which a child's family consents to protective custody and temporary foster custody of the child. Your Committee also notes the testimony of the Judiciary raising concerns regarding the Department of Human Services' ability to obtain immediate protective custody orders from the court by filing a "written application", an undefined term, rather than the normal civil law process of filing a motion. This measure, therefore requires amendments to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that addresses circumstances in which a child's family consents to a police officer assuming protective custody or the Department of Human Services assuming temporary foster custody of the child;
- (2) Allowing the Department of Human Services to obtain an immediate protective custody order by filing an ex parte motion with the court, and upon issuance of the order, allowing the case to proceed pursuant to normal civil law proceedings under section 587A-12(c), Hawaii Revised Statutes;
- (3) Clarifying that the court order required for police officers or the Department of Human Services to take immediate custody of a child shall be in writing; 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. 2245, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2245, 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. 2471 Health and Human Services on S.B. No. 2837

The purpose and intent of this measure is to require the transfer of the Maui State Veterans Home to the Oahu Regional Health Care System and then to the Department of Health, as part of the Oahu Regional Health Care System transfer pursuant to Act 212, Session Laws of Hawaii 2021.

Your Committee received testimony in support of this measure from the Department of Defense, Hawaii Health Systems Corporation, Oahu Region Hawaii Health Systems Corporation, and one individual.

Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that there is currently no state veterans home to serve the needs of the veterans community on the island of Maui. Your Committee further finds that development plans for the construction of the Maui State Veterans Home is currently being undertaken by the Department of Defense. However, management, operation, and staffing of the Maui State Veterans Home should be placed under a state agency better able to manage a long-term care facility. Therefore, this measure transfers the Maui State Veterans Home to the Oahu Regional Health Care System and then to the Department of Health to better serve the veterans community 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 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. 2837, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2837, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3; Ayes with Reservations (Aquino). Noes, none. Excused, 2 (Keohokalole, Awa).

SCRep. 2472 Health and Human Services on S.B. No. 3127

The purpose and intent of this measure is to clarify that the Department of Health has the legal authority and obligation to prevent nuisances that affect environmental health and public health.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that there are an array of nuisances that threaten public health or environmental health. Under existing law, while the Department of Health is authorized to remove and prevent nuisances, the scope of this authorization only applies when a nuisance is injurious to "health", which leaves ambiguity as to whether "health" includes public health and environmental health. Your Committee further finds that with climate change and the increasing pressures on resources and communities, existing law needs to be clarified to specify that the Department of Health has the legal authority and obligation to act when there are nuisances that threaten public or environmental health.

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

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3127, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3127, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2473 Health and Human Services on S.B. No. 2461

The purpose and intent of this measure is to:

- (1) Amend the circumstances under which medical cannabis may be transported by and between dispensaries; and
- (2) Require the Department of Health to adopt rules.

Your Committee received testimony in support of this measure from Cure Oahu and Hawaii Cannabis Industry Association.

Your Committee received testimony in opposition to this measure from the Department of Health.

Your Committee received comments on this measure from the Department of the Attorney General and Akamai Cannabis Consulting.

Your Committee finds that increased wholesale between cannabis dispensaries expands patients' access to a variety of formulations, products, and strains without sacrificing safety and consistency. Your Committee further finds that wholesale of cannabis products currently occurs on an emergency basis or on a proof of need basis, both of which are subject to approval by the Department of Health. This measure authorizes sales between dispensaries of cannabis products without the need to prove the sale's necessity and places a time limit on rulemaking by the Department of Health to allow distribution of products in a timely manner.

Your Committee has amended this measure by:

- (1) Deleting language that would have authorized dispensaries to distribute medical cannabis products in compliance with chapter 329D, Hawaii Revised Statutes, in the event the Department of Health does not adopt rules within this measure's specified timeframe;
- (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. 2461, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2461, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2474 Health and Human Services on S.B. No. 2992

The purpose and intent of this measure is to, beginning July 1, 2025, and every ten years thereafter, require the Department of Health to convene an Advisory Committee on Mental Health Code Review.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Health Systems Corporation, and three individuals.

Your Committee received comments on this measure from The Queen's Health System.

Your Committee finds that state law relating to mental health has been amended in piecemeal over several decades, leading to a lack of clarity and inconsistencies. The need for a regular and systematic review is essential to maintain the coherence and effectiveness of the state's laws relating to mental health. This measure will require comprehensive stakeholder reviews, similar to the way in which the state's penal code is reviewed every decade, to translate into actionable measures for the benefit of mental health in the state.

Your Committee has amended this measure by:

- (1) Removing the Director of Health as a member and substituting the Governor's Senior Advisor for Mental Health and the Justice System as a co-chair member;
- (2) Adding the Governor's Coordinator on Homelessness as a co-chair member; 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. 2992, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2992, 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. 2475 Health and Human Services on S.B. No. 2119

The purpose and intent of this measure is to authorize out-of-state pharmacists to transfer prescription information for the initial fill of a prescription.

Your Committee received testimony in support of this measure from the Department of Health, Board of Pharmacy, Kaiser Permanente Hawai'i, Walgreen Co., and two individuals.

Your Committee finds that currently, an out-of-state pharmacy may only transfer prescription information to an in-state pharmacy for refilling purposes, not for initial fills. Your Committee further finds that reducing barriers and facilitating access to prescription medications originating from out-of-state pharmacies will prevent possible delays in treatment relating to access to prescription medication. This measure will benefit a large patient population by helping to decrease wait times, improve customer service, and enhance patient care overall.

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. 2119 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. 2476 Health and Human Services on S.B. No. 3116

The purpose and intent of this measure is to establish that the priority of selection for preschool open doors program participation shall be applicable through the priority application period that occurs prior to the start of each program year; provided that applications received after the start of the program year through January 31 shall be processed continuously through the program year on a first-come, first-served basis.

Your Committee received testimony in support of this measure from the Department of Human Services, Executive Office on Early Learning, Early Childhood Action Strategy, Hawai'i Children's Action Network Speaks!, and Hui for Excellence in Education.

Your Committee finds that currently, prioritizing applications for the preschool open doors program during each application period requires a start and end date for applications to be submitted, time to apply the priority selection criteria to the applicant pool, notifying of eligible families, and then initiating the process for approving and issuing child care payments, resulting in only a one to two month period after the application period ends and the next application period starts. Your Committee further finds that explicitly identifying that the priority criteria shall be applicable through the priority application period preserves the prioritization process while also expediting the review and approval of applications. This measure allows faster access to the preschool open doors program subsidies and increases participation in the school readiness 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 S.B. No. 3116, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3116, 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. 2477 (Joint) Labor and Technology and Public Safety and Intergovernmental and Military Affairs on S.B. No. 2085

The purpose and intent of this measure is to re-establish the position of the State Fire Marshal.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Department of Law Enforcement, Department of Labor and Industrial Relations, County of Maui Department of Fire and Public Safety, City and County of Honolulu Fire Department, Democratic Party of Hawai'i, one member of the Maui County Council, and one individual.

Your Committees received comments on this measure from the Office of the Governor and Department of the Attorney General.

Your Committees find that state fire marshals serve an integral role in coordinating fire prevention between local agencies. Your Committees find, however, that Act 241, Session Laws of Hawaii 1978, abolished the Office of the State Fire Marshal, and its functions and responsibilities relating to the protection of persons and property against fire loss with the respective county governments were transferred to the counties. Your Committees further find that the State Fire Council, that is administratively attached to the Department of Labor and Industrial Relations, is limited in its scope and responsibilities, and has a relatively small budget and is staffed by a small number of part-time employees. This measure will re-establish the position of the State Fire Marshal, provide the State Fire Marshal with the same powers and authority as county fire chiefs, and establish the duties of the State Fire Marshal, including the duty to make arrests pertaining to arson.

Your Committees have amended this measure by:

- (1) Establishing the Division of the State Fire Marshal within the Department of Law Enforcement, rather than within the Department of Labor and Industrial Relations;
- (2) Inserting language that requires the Fire Marshal to be appointed by the Director of Law Enforcement after a referral and mutual agreement between the Director and the State Fire Council;
- (3) Clarifying that the appointment of the State Fire Marshal shall be made without regard to chapters 76 and 89, Hawaii Revised Statutes;
- (4) Clarifying that in the event the determination of the State Fire Marshal with respect to a certain county conflicts with that of the County Fire Chief, the latter shall prevail;
- (5) Expanding the duties of the State Fire Marshal; and
- (6) Inserting a blank appropriation to be expended by the Department of Law Enforcement for:
 - (A) The establishment of one full-time equivalent (1.0 FTE) permanent state fire marshal position;
 - (B) The establishment of one full-time equivalent (1.0 FTE) permanent position to support the State Fire Marshal; and
 - (C) Training, office supplies, rent, and other operating and administrative costs to support the State Fire Marshal.

Finally, although this measure, as amended, contains an unspecified appropriation amount, your Committees respectfully request that your Committee on Ways and Means consider inserting an appropriation amount of \$340,000 for fiscal year 2024-2025, with the breakdown of \$150,000 for the establishment of one full-time equivalent (1.0 FTE) permanent State Fire Marshal position; \$90,000 for the establishment of one full-time equivalent (1.0 FTE) permanent position to support the state fire marshal; and \$100,000 for training, office supplies, rent, and other operating and administrative costs to support the state fire marshal, in carrying out the purposes of this measure.

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. 2085, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2085, 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, 5. Noes, none. Excused, none.

SCRep. 2478 (Joint) Labor and Technology and Government Operations on S.B. No. 3297

The purpose and intent of this measure is to require and appropriate funds for the Department of Human Resources Development to submit an annual report on vacancies, recruitment efforts, and retention policies in the State's Executive Branch.

Your Committees received testimony in support of this measure from the United Public Workers, AFSCME Local 646, AFL-CIO and Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO.

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 Development.

Your Committees find that the Department of Human Resources Development is currently required to report to the Legislature a list of all vacant positions for reclassification or abolishment, the reason for reclassification or abolishment, how long the positions have been vacant, and the agency these positions are attached to. Your Committees also find that the State is currently going through a labor shortage within its government offices and agencies. This measure requires the Department to provide more up to date data on these vacancies and recruitment efforts, to assist the Legislature in combating this issue.

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 Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3297, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3297, 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.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Wakai).

SCRep. 2479 (Joint) Labor and Technology and Government Operations on S.B. No. 2598

The purpose and intent of this measure is to:

- (1) Require the Director of Human Resources Development to revise rules, policies, and guidelines to limit state employees' telework to a maximum of two days per week; and
- (2) Set forth supervision and accountability standards to ensure appropriate state services to the public.

Your Committees received testimony in support of this measure from two individuals.

Your Committees received testimony in opposition to this measure from the Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO; Med Quest; and ten individuals.

Your Committees received comments on this measure from the Department of Human Resource Development, Department of Land and Natural Resources, and Hawaii Employer-Union Health Benefits Trust Fund.

Your Committees find that during the coronavirus disease 2019 pandemic, telework became a widespread and invaluable tool for state departments and agencies. Your Committees find that the State has implemented State of Hawaii Telework Program Guidelines, which all State telework programs utilize. This measure requires the Director of Human Resources Development to revise the telework guidelines adding certain restrictions unless a national or state emergency is declared, and ensures appropriate provision of services to the public.

Your Committees have amended this measure by:

- (1) Changing the maximum number of days state employees may telework from two days per week to an unspecified number of days per week; 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 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. 2598, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2598, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Labor and Technology: Ayes, 3. Noes, none. Excused, 2 (Lee, Fevella).

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Wakai).

SCRep. 2480 (Joint/Majority) Labor and Technology and Government Operations on S.B. No. 3296

The purpose and intent of this measure is to require the Department of Human Resources Development to:

- (1) Conduct a remote work study;
- (2) Review any recent remote work studies done by the counties;
- (3) Develop and administer a remote work program; and
- (4) Submit the study to the Legislature prior to the convening of the Regular Session of 2025.

Your Committees received testimony in support of this measure from the Department of Human Resources Development, County of Hawaii Department of Research and Development, Hawai'i Workforce Founders Collaborative, Housing Hawai'i's Future, Holomua Collaborative, Hawai'i Children's Action Network Speaks!, Kobayashi Group, Hawai'i Community Foundation, HPM Building Supply, Mana Up, Title Guaranty Hawaii, and three individuals.

Your Committees received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committees find that remote work is important within modern working environments and strong remote work infrastructure allows for increased affordability and accessibility. Your Committees also find that remote work has the added benefit of allowing participating employees to work from more rural areas where housing is more affordable. This measure will help identify state jobs that are suitable for remote work and connects them to workers in areas of Hawaii where jobs are more scarce, but housing is more affordable.

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 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. 3296, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3296, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Labor and Technology: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 2. Noes, 1 (Awa). Excused, 2 (Gabbard, Wakai).

SCRep. 2481 (Joint) Labor and Technology and Health and Human Services on S.B. No. 2930

The purpose and intent of this measure is to extend, under certain conditions, the family leave period that employees are entitled to under state law for up to eight additional 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.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations, Department of Human Services, Hawai'i Civil Rights Commission, Disability and Communications Access Board, Hawai'i Children's Action Network Speaks!, Hawaii State Teachers Association, Breastfeeding Hawaii, and four individuals.

Your Committees received comments on this measure from the Society of Human Resource Management Hawaii.

Your Committees find that in 2020, ten percent of babies in Hawaii were born preterm and spent weeks or months in neonatal intensive care units (NICU). Consequently, parents also spent weeks or months at the NICU in support of their babies' care. Your Committees also find that parental skin-to-skin contact, or "kangaroo care", reduces infant mortality by thirty-six percent and the length of the baby's stay in the NICU by up to one week. Your Committees also find that Oahu is the only island with a high-risk NICU in the State, forcing parents from other islands with babies in the NICU to relocate at a significant disruption and expense for an extended period. This measure will allow additional protected time off from work for these parents to keep families together at a critical time and ensure the health of their babies.

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 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. 2930, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2930, 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).

Health and Human Services: Ayes, 5. Noes, none. Excused, none.

SCRep. 2482 Ways and Means on S.B. No. 2094

The purpose and intent of this measure is to:

- (1) Require the Department of Corrections and Rehabilitation to establish a pilot program to allow inmates incarcerated at the Women's Community Correctional Center to foster pets while incarcerated; and
- (2) Appropriate moneys for the program.

Your Committee received written comments in support of this measure from the Department of Corrections and Rehabilitation, ACLU of Hawaii, Animal Welfare Institute, Hawaiian Humane Society, Pacific Pet Alliance, and one individual.

Your Committee received written comments on this measure from the United Public Workers.

Your Committee finds that several states have already implemented programs that allow incarcerated inmates to foster animals and that the research shows such programs help to increase the emotional intelligence, coping skills, and work ethic and employability of inmates, which improve their chances of job readiness and are critical factors in reducing recidivism. Your Committee believes that this program will not only benefit the participating inmates but will also improve outcomes for the fostered animals by preparing them for adoption.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2094, 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 (Aquino, Hashimoto).

SCRep. 2483 Ways and Means on S.B. No. 2927

The purpose and intent of this measure is to increase clarity and uniformity in the judicial appointment process.

Specifically, this measure proposes an amendment to the Hawaii State Constitution to make the Senate confirmation process for judicial appointments made by the Governor or the Chief Justice the same.

Your Committee did not receive written comments on this measure.

Your Committee finds that Senate confirmation procedures for judicial appointments differ depending on whether an appointment is made by the Governor or the Chief Justice. Your Committee further finds that harmonizing these differing confirmation procedures will reduce confusion and increase clarity in the judicial appointment process.

Your Committee has amended this measure by making a technical nonsubstantive amendment for the purpose of style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2927, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2927, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Hashimoto).

SCRep. 2484 Ways and Means on S.B. No. 2240

The purpose and intent of this measure is to facilitate the accuracy and integrity of voter registration rolls.

Specifically, the measure:

- (1) Requires the Office of Elections to file an application with Electronic Registration Information Center, Inc. (ERIC), by June 30, 2025, for the State to be admitted as a member of the organization;
- (2) Requires the Office of Elections to share with each county the information and services made available by ERIC pursuant to the State's membership agreement with the organization;
- (3) Requires the Office of Elections and each county office that administers elections to use information and services made available by ERIC to verify their respective voter registration rolls;
- (4) Appropriates \$125,000 to the Office of Elections to prepare and file an application with ERIC for the State to be admitted as a member of the organization; and
- (5) Requires the Office of Elections, before fiscal year 2025-2026, to request as part of its annual budget an appropriation from the Legislature to pay the State's annual membership dues to ERIC.

Your Committee received written comments in support of this measure from the Office of Elections and one individual.

Your Committee received written comments in opposition to this measure from the Hawaii Federation of Republican Women, Aloha Freedom Coalition, and eighty-seven individuals.

Your Committee finds that maintaining accurate and current voter registration rolls is essential to democracy. Your Committee further finds that the State's membership with ERIC and access to ERIC's services can help modernize and ensure the integrity of Hawaii's voter registration system.

Your Committee recognizes that the Office of Elections estimates that joining ERIC would cost the State \$148,000 in fiscal year 2024-2025.

Your Committee has amended this measure by:

- (1) Codifying within the Hawaii Revised Statutes provisions relating to the State's membership in ERIC and its use by the Office of Elections and the counties;
- (2) Changing the appropriation from \$125,000 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 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. 2240, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2240, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (Aquino, Hashimoto).

SCRep. 2485 Ways and Means on S.B. No. 582

The purpose and intent of this measure is to amend the law relating to the state budget.

Prior to the hearing on this measure, your Committee posted and made available for public viewing a proposed S.D. 1, which amends this measure by deleting its contents and replacing it with language to appropriate moneys to support the State's response to the August 2023 wildfires that affected the County of Maui.

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. 582, 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. 582, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 6 (DeCoite, Hashimoto, Inouye, Shimabukuro, Wakai, Fevella).

SCRep. 2486 (Joint) Health and Human Services and Commerce and Consumer Protection on S.B. No. 2783

The purpose and intent of this measure is to appropriate funds to the Department of Human Services for Medicaid coverage under the Children's Health Insurance Program for income-qualified pregnant persons and children, regardless of immigration status.

Your Committees received testimony in support of this measure from Hawai'i Friends of Civil Rights; AlohaCare; Hawai'i Coalition for Immigrant Rights; Hawai'i Public Health Association; Hawaii Medical Association; Mental Health America of Hawai'i; Hawai'i Children's Action Network Speaks!; Hawaii ACOG; American Cancer Action Network; The Legal Clinic; and ten individuals.

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

Your Committees find that high-quality health care that is accessible, affordable, and equitable is essential to public health and wellness. Many residents in the State, however, are denied access to health care simply due to their immigration status, which can worsen health outcomes. This measure will increase access to health insurance coverage for certain individuals in the State to promote healthy communities.

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. 2783 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, 4. Noes, none. Excused, 1 (Shimabukuro).

Commerce and Consumer Protection: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Richards).

SCRep. 2487 (Joint) Health and Human Services and Labor and Technology on S.B. No. 2569

The purpose and intent of this measure is to allow a person who employs or contracts with a health care worker who suffers an act of violence to report the event to law enforcement and petition for a temporary restraining order and injunction under certain circumstances.

Your Committees received testimony in support of this measure from the Hawai'i State Center for Nursing, Waianae Coast Comprehensive Health Center, and two individuals.

Your Committees find that recent amendments to state law expanded protections for health care workers by increasing the penalties for assaulting a health care worker. However, some victims fear their personal information will be discoverable should the health care worker choose to personally press charges for the assault they experienced at their workplace. This measure will enable the employer to intervene to seek the proper protections and complement recent laws to positively impact the health care work environment.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2569, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2569, 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, 4. Noes, none. Excused, 1 (Lee).

SCRep. 2488 Energy, Economic Development, and Tourism on S.B. No. 3061

The purpose and intent of this measure is to clarify part III of Act 164, Session Laws of Hawaii 2023, as it pertains to the appropriation for the Solar Energy Storage Loan Program.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Green Infrastructure Authority; Climate Protectors Hawai'i; Hawaii Solar Energy Association; and four individuals.

Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that Act 164, Session Laws of Hawaii 2023, appropriated general funds to the Solar Energy Storage Loan Program. Directing these funds to the Clean Energy and Energy Efficiency Revolving Loan Fund ensures a continuous and sustainable source of funding to finance solar and storage installations. Your Committee further finds that this measure helps to address the immediate financial challenges faced by the State's residents due to inflation and rising energy costs and also creates a long-term solution to support underserved ratepayers.

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 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. 3061, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3061, 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. 2489 Energy, Economic Development, and Tourism on S.B. No. 3006

The purpose and intent of this measure is to:

- (1) Exempt the Convention Center from the requirements regarding concessions on public property; and
- (2) Authorize the Convention Center to sell advertising and marketing on and in the Hawaii Convention Center Facility.

Your Committee received testimony in support of this measure from the Hawai'i Tourism Authority and Hawai'i Lodging & Tourism Association.

Your Committee received testimony in opposition to this measure from UNITE HERE Local 5.

Your Committee finds that selling naming rights to the Convention Center would open multiple profit-making possibilities to fund the Convention Center's repairs and future maintenance needs. An analysis performed by ASM Global, one of the world's largest leading venue management companies, estimate that the naming rights of the Convention Center could be valued at up to \$500,000 in the first year with the possibility of escalating to a twenty-year agreement value of over \$13,000,000. Your Committee further finds that this measure will facilitate partnerships with the state's business community to foster mutually beneficial collaborations.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2060, 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. 3006, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3006, 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 (Wakai, Fevella).

SCRep. 2490 Energy, Economic Development, and Tourism on S.B. No. 2537

The purpose and intent of this measure is to clarify the reporting requirements of the Chief Energy Officer to the Legislature.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office.

Your Committee finds that the purpose of Act 122, Session Laws of Hawaii 2019 (Act 122), was to transfer the duties and responsibilities of the State Energy Resources Coordinator, the functions of the Renewable Energy Facilitator, and the then existing State Energy Office to a newly created Hawaii State Energy Office and Chief Energy Officer. Your Committee further finds that Act 122 did not amend certain sections of the Hawaii Revised Statutes pertaining to the reporting of certain energy matters to the Legislature. Accordingly, this measure clarifies these reporting requirements.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (2) Making 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. 2537, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2537, 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. 2491 Energy, Economic Development, and Tourism on S.B. No. 2400

The purpose and intent of this measure is to:

- (1) Reduce the number of members on the Hawaii Tourism Authority Board of Directors and number of members that constitute a quorum; and
- (2) Prohibit holdover board members of the Hawai'i 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 Hawai'i Tourism Authority.

Your Committee finds that the Hawaii Tourism Authority is currently guided by a twelve-member, volunteer, Senate-confirmed Board of Directors. Accordingly, recruitment for volunteer service on the Hawaii Tourism Authority's board is often challenging. This measure reduces the number of board members and the number of members necessary to constitute a quorum in order to the support the Board's ability to conduct its important work. Your Committee further finds that a recent Attorney General opinion provides that existing law allows a member of the Hawaii Tourism Authority Board of Directors to continue as a holdover member after their term has expired, without limitation, until a successor is appointed by the Governor. Your Committee finds that this interpretation is contrary to legislative intent and this measure is necessary to clarify the existing law.

Your Committee has amended this measure by:

- (1) Amending the membership provisions of the Hawaii Tourism Authority Board of Directors to exclude persons who have served as members of the Board of Directors of a current contractor of the Hawaii Tourism Authority until at least two years have expired between the person's termination from service to the contractor;
- (2) Deleting language that would have excluded persons who have served as a member of the Board of Directors of the Hawaii Visitors and Convention Bureau;
- (3) Inserting language to require that no person whose business, position, or other undertakings in which the person may have a financial interest constituting a conflict of interest shall serve as a member of the Hawaii Tourism Board of Directors;
- (4) Inserting language to require that no board member shall, for a fee or other consideration, act in a representative capacity or assist a person, business, or entity that has been awarded a contract by the Hawaii Tourism Authority; 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 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. 2400, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2400, 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. 2492 (Joint/Majority) Health and Human Services and Agriculture and Environment on S.B. No. 2401

The purpose and intent of this measure is to appropriate funds to the City and County of Honolulu and the Department of Health for a feral chicken control program and a feeding of feral animals education program, respectively.

Your Committees received testimony in support of this measure from Department of Health, Department of Agriculture, City and County of Honolulu Department of Customer Services, Hawai'i Farm Bureau, and Hawai'i Food+ Policy.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that feral chickens and roosters are a persistent nuisance, particularly in suburban and urban residential communities. Feral chickens and roosters destroy gardens, dig up plants, damage food crops, and jeopardize native plants and resources. Additionally, roosters crow at all times of the day and night, leading to numerous noise complaints by residents. Unsanitary droppings from feral chickens and roosters can further create health concerns and threaten Hawaii's ecosystem, natural resources, and the health and safety of its residents. Your Committees therefore find that, to protect Hawaii's ecosystem, natural resources, and the safety and health of its residents from feral chickens and roosters, this measure is necessary to appropriate implement a control program and feeding feral animals education campaign.

Your Committees have amended this measure by:

- (1) Inserting an appropriation of \$50,000 for each county for a feral animal control program; and
- (2) Updating 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 Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2401, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2401, 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.

Agriculture and Environment: Ayes, 2. Noes, 1 (Awa). Excused, 2 (DeCoite, Richards).

SCRep. 2493 (Joint) Health and Human Services and Agriculture and Environment on S.B. No. 2101

The purpose and intent of this measure is to:

- (1) Require waste combustion facility owners to implement continuous monitoring and sampling technologies for the purposes of collecting data regarding emissions;
- (2) Establish a publicly available website hosted by the Department of Health that will track and display data collected on emissions;
- (3) Require the Department of Health to adjust permit limits for air contaminants based on emissions data collected;
- (4) Require reports to the Legislature; and

(5) Make an appropriation.

Your Committees received testimony in support of this measure from Greenpeace Hawaii, Energy Justice Network, Environmental Caucus of the Democratic Party of Hawai'i, Chamber of Sustainable Commerce, and three individuals.

Your Committees received testimony in opposition to this measure from Covanta Honolulu Resource Recovery Venture, LLC.

Your Committees received comments on this measure from the Department of Health.

Your Committees find that waste combustion facility owners implement monitoring and sampling technologies to collect data regarding emissions only once a year and only when conditions are optimal. Further, your Committees find that technological advances in methods to monitor pollutants are available, and that Hawaii's methods should be updated. Accordingly, this measure will implement continuous monitoring and sampling technologies verified by the United States Environmental Protection Agency to ensure waste combustion facility owners continuously monitor, sample, and report contaminant emissions.

Your Committees have amended this measure by:

- (1) Inserting into the appropriation to the Department of Health unspecified amounts for the purchase of continuous emissions monitoring system units, construction and maintenance of a website to disseminate reported data to the public, and the establishment of an unspecified number of full-time equivalent positions to enforce the monitoring provisions of this measure and gather data;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note the testimony offered by the Department of Health at the public hearing held on this measure that the equipment costs for the continuous emissions monitoring system units are estimated to be in excess of \$11,000,000, in addition to the costs for the website and the establishment of an unspecified number of full-time equivalent positions necessary to implement this measure. Should your Committee on Ways and Means choose to deliberate on this measure, your Committees respectfully request that these issues be considered.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2101, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2101, 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.

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Richards).

SCRep. 2494 (Joint) Health and Human Services and Agriculture and Environment on S.B. No. 2368

The purpose and intent of this measure is to:

- (1) Require the Department of Health to conduct a statewide needs assessment to inform the future establishment of an extended producer responsibility program for packaging waste; and
- (2) Make an appropriation to the Department of Health to conduct the assessment.

Your Committees received testimony in support of this measure from the County of Kaua'i Department of Public Works, Hawaii Environmental Change Agents-Solid Waste Task Force, Hawai'i Reef Ocean Coalition, Retail Merchants of Hawaii, Product Stewardship Institute, Zero Waste Kauai, Just Zero, one member of the Kauai County Council, and five individuals.

Your Committees received testimony in opposition to this measure from Recycle Hawaii, American Institute for Packaging and the Environment, Flexible Packaging Association, Huli Pac, American Beverage Association, and two individuals.

Your Committees received comments on this measure from the Department of Health, Chamber of Sustainable Commerce, Foodservice Packaging Institute, and the Consumer Technology Association.

Your Committees find that the State is committed to reducing waste and conserving resources through advancing source reduction, reuse, and recycling; however, additional resources, facilities, and services are needed to achieve resource conservation and waste reduction targets. This measure will require the Department of Health to conduct a needs assessment to complement its other efforts pursuant to its Integrated Solid Waste Management planning process and minimize any redundancies to streamline the State's waste management system.

Your Committees have amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

Your Committees note that 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 \$1,000,000 for fiscal year 2024-2025, pursuant to the testimony your Committees received from the Department of Health.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Agriculture and Environment that are attached to this report, your committees are in accord with the intent and purpose of S.B. No. 2368, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2368, 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.
 Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Richards).

SCRep. 2495 Government Operations on S.B. No. 2827

The purpose and intent of this measure is to require cash or protest bonds paid or filed by parties initiating an administrative appeal for protests of solicitations or award of contracts under the Hawaii Public Procurement Code to be returned to the initiating parties, minus administrative costs as determined by the Office of Administrative Hearings of the Department of Commerce and Consumer Affairs, except in cases where the initiating party does not prevail in the administrating hearing or the appeal was frivolous or made in bad faith.

Your Committee received testimony in support of this measure from the Subcontractors Association of Hawaii; Ralph S. Inouye Co., Ltd.; General Contractors Association of Hawaii; King & Neel Pacific, Inc.; Jas. W. Glover, Ltd.; and Healy Tibbitts Builders, Inc.

Your Committee finds that Hawaii is the only state that does not return cash or protest bond that is required to be paid or filed by an initiating party when the party prevails on its protest. This measure ensures a deterrence of frivolous appeals without deterring legitimate appeals, and additionally addresses administrative cost recovery.

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. 2827 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. 2496 Government Operations on S.B. No. 2828

The purpose and intent of this measure is to require the Department of Accounting and General Services to convert vacant Engineer (Buildings) V positions to Project Manager II positions and ensure that the salaries of the converted positions are comparable to Project Manager II class, SR-26.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services.

Your Committee finds that the State continues to face challenges in recruiting engineers. This measure, through position reclassification, allows the Department of Accounting and General Services to obtain the necessary personnel to support the State's vital public works projects.

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. 2828 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. 2497 Government Operations on S.B. No. 2292

The purpose and intent of this measure is to repeal the exemption afforded to ex officio members of boards and commissions from statutory provisions governing the selection and terms of board and commission members.

Your Committee received comments on this measure from the Department of Budget and Finance, Department of Commerce and Consumer Affairs, and Board of Regents of the University of Hawai'i.

Your Committee finds that governmental boards and commissions provide up-to-date information, critical thinking, and analyses to the decision-makers of the government entity that they advise. Your Committee further finds that ex officio board members hold expertise in a particular area that can be helpful to boards and commissions in carrying out their duties. This measure ensures that all members of boards and commissions are selected pursuant to an equal and standardized process.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2292 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. 2498 Government Operations on S.B. No. 2403

The purpose and intent of this measure is to require:

- (1) Any report of a study or audit enacted with a legislative appropriation to be submitted to the chairs of the appropriate subject matter committee of each house of the Legislature, unless the study or audit is financial or regularly occurring;
- (2) Require the chairs of the appropriate subject matter committee of each house of the Legislature to conduct a public hearing or informational briefing within one year of receipt of a report, except under certain circumstances;
- (3) Require the chairs of the appropriate subject matter committee of each house of the Legislature to conduct a public hearing or informational briefing within one year of the publication of a performance audit report issued by the Office of the Auditor except for financial audits or single audits; and

- (4) Require state departments and agencies to submit a report to the Legislature containing certain information or newly enacted, funded state programs within one year of the date on which the program's enabling Act became law.

Your Committee received testimony in support of this measure from the Office of the Auditor and two individuals.

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 require 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. This measure will serve the public interest by mandating a public hearing or informational briefing that would facilitate discussion and analysis of the report findings and recommendations.

Your Committee notes the testimony of the Office of the Auditor that they "strongly agree that a public hearing or informational briefing is an invaluable means to inform the subject matter committees, the audited agencies, and the public about [their] performance audit findings".

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. 2403, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2403, 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, Wakai).

SCRep. 2499 Government Operations on S.B. No. 2317

The purpose and intent of this measure is to:

- (1) Require the Governor to administer and facilitate a State Capitol Tour Program that utilizes volunteer docents to conduct walking tours of the State Capitol; and
- (2) Appropriate an unspecified amount of funds to the Office of the Governor for:
 - (A) One permanent full-time equivalent (1.0 FTE) position; and
 - (B) The administration of the State Capitol Tour Program.

Your Committee did not receive any testimony on this measure.

Your Committee finds that providing State Capitol tours is a meaningful public service that provides visitors to the State Capitol with an opportunity to appreciate the State and its democratic process. Your Committee also finds that, although visitors have the option to take virtual or self-guided tours of the State Capitol, having volunteer docents conduct walking tours would enhance the understanding of its architecture and symbolism.

Your Committee notes that S.B. No. 699, S.D. 2, H.D. 1 (2023), is a similar measure that proposed to establish a State Capitol Tours Program within the Office of the Governor. Despite discussions held with the Office of the Governor and Friends of Iolani Palace, consideration of S.B. No. 699, S.D. 2, H.D. 1 (2023) was terminated. Accordingly, your Committee encourages that the collaborative efforts and discussions among the parties continue for this measure.

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. 2317, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2317, 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. 2500 Government Operations on S.B. No. 2172

The purpose and intent of this measure is to:

- (1) Establish the priority of who may assume the authority and duties of a chairperson of a board or commission in the chairperson's and all co-chairperson's absence at a hearing or meeting of a board or commission; and
- (2) Prohibit staff members from assuming the authority and duties of the chairperson of a board or commission.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Board of Regents of the University of Hawai'i.

Your Committee finds that when a chairperson or co-chairperson is absent from a hearing or meeting of a board or commission, it is necessary to ensure that the most qualified or experienced individual assumes their authority and duties. This measure will ensure that only the most qualified individual will assume the authorities and duties of a chairperson of a board or commission in the absence of the chairperson or all co-chairpersons from the meeting or hearing by establishing the priority of succession in statute.

Your Committee notes that boards and commissions generally follow the Robert's Rules of Order, which provides for lines of succession among committee members themselves upon the absence of the presiding chairperson. Notwithstanding, your Committee finds that there are valid reasons to expressly prohibit staff members from assuming control of the meetings. Accordingly, there is a need to amend this measure to address this matter.

Your Committee has amended this measure by:

- (1) Deleting language that would have established the priority of individuals who may assume the authority of duties of a chairperson of a board or commission in the absence of the chairperson or all co-chairpersons from a hearing or meeting of the board or commission;
- (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. 2172, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2172, 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 (Gabbard, Wakai).

SCRep. 2501 Government Operations on S.B. No. 2536

The purpose and intent of this measure is to:

- (1) Establish a new accounting services procurement preference for certain Hawaii accounting service businesses; and
- (2) Clarify that the existing reciprocity procurement preference includes offerors under section 103D-303, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from Accuity LLP and C&Y CPAs LLC.

Your Committee received testimony in opposition to this measure from the State Procurement Office.

Your Committee finds that many of the State's residents who earn college degrees either leave the State or do not return due to the lack of career opportunities, thus negatively impacting the State's economic potential. Although public accounting firms with offices in the State address this need by offering professional career paths that allow residents to remain in the State, the high cost of operating a business in the State, coupled with the high cost of living, makes it difficult for these firms to compete for government service contracts against firms that do not have offices in the State that operate out of low-cost jurisdictions. This measure addresses the important issue of local resident displacement by incentivizing public accounting firms to operate in the State, while further supporting fair competition with other states and safeguarding the interests of local businesses.

Your Committee notes that the language in this measure that provides a bid preference for local accounting firms mirrors that of section 103D-1006, Hawaii Revised Statutes, which provides a bid preference for Hawaii software development businesses.

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. 2536, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2536, 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. 2502 Government Operations on S.B. No. 2482

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 with disabilities, to participate remotely in legislative hearings and to submit a report to the Legislature.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board.

Your Committee received comments on this measure from the Department of Accounting and General Services and Hawaii State Public Library System.

Your Committee finds that providing access for residents to participate in the state legislative process is a basic right of citizenship in the State and should continue to be a priority. Currently, this basic right faces challenges with the rising costs of airfare, gas, and lodging. This measure provides equitable access to the legislative process by identifying potential locations or state offices on neighbor islands and in rural Oahu where citizens, including the full spectrum of persons with disabilities, can participate in the legislative process through remote utilization, thereby reducing the financial burden of legislative participation and ensuring the crucial improvement of the functionality of and engagement in the democratic process. While libraries have the ability to perform this function, there are many places in the State where libraries are inaccessible; therefore it is important to outfit more state buildings with broadband infrastructure to expand these services and in so doing, increase broadband equity.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 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. 2482, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2482, 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. 2503 Government Operations on S.B. No. 2202

The purpose and intent of this measure is to increase the minimum amount for purchases constituting small purchase procurements from \$25,000 to \$50,000.

Your Committee received testimony in support of this measure from the City and County of Honolulu Department of Budget and Fiscal Services and County of Hawaii Department of Finance.

Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that the amount for small purchase procurement was last adjusted to coincide with inflation in 1997, via section 8 of Act 352, Session Laws of Hawaii 1997. The escalating costs of goods over the years, particularly during the coronavirus disease 2019 pandemic, have created numerous difficulties regarding small purchases. By increasing the threshold of small purchase procurements from \$25,000 to \$50,000, this measure greatly enhances the operational efficiency of state and county departments.

Your Committee additionally finds that greater flexibility is needed, in regards to procurement, during an emergency. Therefore, your Committee finds it necessary to further increase the small purchase threshold in areas effected by a federally declared disaster to facilitate a more immediate response and recovery efforts.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language to establish a small purchase threshold of \$75,000 within the affected area of a federally declared disaster; provided that such procurements are reported to the State Procurement Office;
- (2) Requiring the State Procurement Office to report to the Legislature on the efficacy of the amendments made by this measure before the Regular Session of 2025;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Inserting an effective date of January 1, 2112, 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 Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2202, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2202, 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. 2504 Government Operations on S.B. No. 2597

The purpose and intent of this measure is to clarify that the prohibition against board and commission holdover members from holding office beyond the end of the second regular legislative session following the expiration of the member's term of office takes precedence over any conflicting statutes.

Your Committee received testimony in support of this measure from three individuals.

Your Committee received comments on this measure from the Public Utilities Commission and Board of Regents of the University of Hawaii.

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. Your Committee believes that 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, your Committee finds that no holdover member should serve beyond the second regular legislative session following the expiration of the member's term of office without the advice and consent of the Senate. This measure will clarify that this prohibition takes precedence over any other law to the contrary.

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. 2597 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 (Gabbard).

SCRep. 2505 Government Operations on S.B. No. 3171

The purpose and intent of this measure is to:

- (1) Mandate the Office of the Lieutenant Governor or the appropriate county clerk's office to ensure access to paper or electronic copies of all meeting notices; and
- (2) Repeal the requirement to post notices in a central location in a public building.

Your Committee received testimony in support of this measure from the Office of the Lieutenant Governor; Department of Land and Natural Resources; one member of the Maui County Council; Society of Professional Journalists, Hawaii Chapter; and one individual.

Your Committee received comments on this measure from the Office of Information Practices and Board of Regents of the University of Hawaii.

Your Committee finds that to fulfil its statutory responsibilities, the Office of the Lieutenant Governor posts physical copies of meeting notices daily in the chamber of the State Capitol for the public to view. However, it is impractical for those who live on the neighbor islands to fly to Oahu to view the notices. Additionally, due to increased security measures at the State Capitol and other government facilities, it is unreasonable for residents and interested parties to physically enter a government building to view posted notices. This measure increases efficiency, decrease paper usage, and ensure public access to notices and agendas.

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. 3171 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Gabbard, Wakai).

SCRep. 2506 (Joint) Health and Human Services and Agriculture and Environment on S.B. No. 2322

The purpose and intent of this measure is to require the Department of Health to continue water testing during brown water advisories under certain circumstances.

Your Committees received testimony in support of this measure from Kingdom Pathways; Surfrider Foundation, Hawai'i Region; Surfrider Foundation, Maui Chapter; Surfrider Foundation, Kaua'i Chapter; Surfrider Foundation, O'ahu Chapter; Free Access Coalition; Friends of Kewalos; Windward Coalition; Wastewater Alternatives and Innovations, LLC; a form letter signed by twenty-two organizations; and sixty-four individuals.

Your Committees received comments on this measure from the Department of Health.

Your Committees find that it is crucial to prioritize the health and safety of the State's residents by monitoring the quality of the State's water supply, especially during brown water advisories. Your Committees further find that currently, once a brown water advisory has been issued, the Clean Water Branch (CWB) of the Department of Health's protocol is to suspend all monitoring at the affected beaches while continuing routine sampling at regularly scheduled beaches. Your Committees additionally find that the CWB does not do additional testing of affected beaches during brown water advisories because it diverts resources away from routine sampling and increases risk of failing to meet federal grant commitments.

Your Committees acknowledge the concerns raised by the Department of Health's testimony that because the CWB does not receive state funding for beach monitoring and is financially limited to seven water sampler positions across the State, the current federal funding for daily operations of the program are insufficient to implement additional statewide monitoring and laboratory analytical testing as required by this measure.

Accordingly, your Committees have amended this measure by:

- (1) Inserting an appropriation to the Department of Health in an unspecified amount; 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 Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2322, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2322, 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.
Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Richards).

SCRep. 2507 (Joint/Majority) Health and Human Services and Agriculture and Environment on S.B. No. 3133

The purpose and intent of this measure is to authorize the Department of Health to conduct fingerprinting and criminal history record checks on applicants who apply for a permit to operate as a hemp processor.

Your Committees received testimony in support of this measure from the Department of Health.

Your Committees received testimony in opposition to this measure from two individuals.

Your Committees find that Act 263, Session Laws of 2023, which extended the State's hemp processor law, also amended the minimum application requirements for hemp processor permits to require that applicants provide either a hemp producer license issued by the United States Department of Agriculture or consent to a criminal history record check pursuant to state law. This measure is necessary to authorize the Department of Health to conduct these criminal history record checks for the duration of the hemp processor program.

Your Committees have amended this measure by:

- (1) Clarifying that the Department of Health may conduct criminal history record checks on individual applicants or individuals acting on behalf of applying entities for hemp processor permits;
- (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 Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3133, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3133, 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.

Agriculture and Environment: Ayes, 2. Noes, 1 (Awa). Excused, 2 (DeCoite, Richards).

SCRep. 2508 Higher Education on S.B. No. 3189

The purpose and intent of this measure is to:

- (1) Establish the University of Hawaii Conference Center Revolving Fund and accounts under the fund to facilitate the administration of the revolving fund for conference center programs among various campuses and operating units of the University of Hawaii System; and
- (2) Repeal the Conference Center Revolving Fund for conference center programs conducted at the University of Hawaii at Hilo.

Your Committee received testimony in support of this measure from the University of Hawai'i System.

Your Committee finds that the University of Hawaii hosts various events and conferences year-round at institutional facilities. Existing law establishes separate revolving funds for the community colleges and the University of Hawaii at Hilo to support conference center programs. Authorization of single revolving fund will allow all campuses to standardize fiscal management of conference center programs across all campuses and eliminate unnecessary duplication. To ensure streamlined operations that effectively utilize University of Hawaii resources, this measure centralizes fiscal processes relating to conference center programs, similar to the structure of many other University funds.

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. 3189, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3189, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2509 (Joint) Higher Education and Labor and Technology on S.B. No. 3190

The purpose and intent of this measure is to repeal the reporting requirement to identify the State's cost impacts of providing workers' compensation coverage for University of Hawaii students.

Your Committees received testimony in support of this measure from the University of Hawai'i System.

Your Committees find that existing law requires the University of Hawaii to report the cost impacts of workers' compensation claims made by University of Hawaii students each biennium. However, the University of Hawaii has not reported a subsequent claim for workers' compensation since the 2014-2016 fiscal biennium. As the University of Hawaii strives for good governance within its internal operations, this measure streamlines University procedures to effectively utilize its resources.

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 Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3190, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3190, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the 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. 2510 (Joint/Majority) Health and Human Services and Commerce and Consumer Protection on S.B. No. 3125

The purpose and intent of this measure is to:

- (1) Authorize minors who are fourteen years or older to consent to medical care for sexually transmitted infections, pregnancy, and family planning services, including the prevention of sexually transmitted infections; and
- (2) Require confidentiality policies and practices for insurers and providers.

Your Committees received testimony in support of this measure from the Department of Health, Partners in Care, Hawai'i Health and Harm Reduction Center, Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, Opportunity Youth Action Hawai'i, and ten individuals.

Your Committees received testimony in opposition to this measure by three individuals.

Your Committees find that existing law permits minors to consent to medical care for treatment of human immunodeficiency virus (HIV) and other sexually-transmitted diseases, but not for the prevention of these diseases. Allowing youth who are over the age of fourteen years to consent to preventative care and other family planning services can empower them to get access to life-saving medication and is a valuable step in ending the HIV epidemic in Hawaii. This measure will therefore resolve this critical gap in a minor's access to medical care.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and 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. 3125, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3125, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Shimabukuro).

Commerce and Consumer Protection: Ayes, 2. Noes, 1 (Awa). Excused, 2 (McKelvey, Richards).

SCRep. 2511 Ways and Means on S.B. No. 3289

The purpose and intent of this measure is to amend the state estate tax law.

More specifically, the measure amends the definition of "Hawaii taxable estate" to provide that the marital deduction under section 2056 of the Internal Revenue Code shall apply to the passage of any interest in property to any immediate family member.

Your Committee received testimony in support of this measure from ABC Stores; ALTRES; Big Island Motors; Finance Enterprises, Ltd.; Island Insurance Companies; KTA Super Stores; Loyalty Enterprises, Ltd; Servco Pacific Inc.; Tori Richard, Ltd.; Y. Hata & Co., Ltd.; Zippy's Restaurants; 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 Taxation and Tax Foundation of Hawaii.

Your Committee finds that this measure amends the state estate tax law by making the marital deduction under section section 2056 of the Internal Revenue Code, which is currently only available to surviving spouses, applicable to a transfer to any immediate family member. Your Committee also finds that, for purposes of consistency, a corresponding amendment to the state generation-skipping transfer tax law is necessary.

Your Committee has amended this measure by:

- (1) Making a corresponding amendment to the state generation-skipping transfer tax law to provide that a transfer to any immediate family member shall not be considered a distribution to a skip person, as defined in section 2613 of the Internal Revenue Code; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3289, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3289, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 1 (Hashimoto).

SCRep. 2512 Higher Education on S.B. No. 2060

The purpose and intent of this measure is to:

- (1) Establish an Educational Support Associate position within the University of Hawaii College of Tropical Agriculture and Human Resources' Kona Cooperative Extension; and
- (2) Make an appropriation.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Hawai'i Farm Bureau, Hawai'i Food+ Policy, Synergistic Hawaii Agriculture Council, Maui Coffee Association, and seven individuals.

Your Committee finds that the College of Tropical Agriculture and Human Resources (CTAHR) of the University of Hawaii at Manoa provides valuable support to the State's agriculture industry. Through the extension program, extension agents from CTAHR provide non-formal science-based education; serve as an outreach component between the agriculture community and the University of Hawaii; and extend practical applications of science to support local food systems, healthy living, youth development, and land stewardship. Your Committee further finds that despite its critical work, the Kona Research Station's sole extension agent is currently supported by only one educational support associate position, which has historically been one hundred percent grant funded. Due to various grant provisions, the educational support associate is limited to work only within the scope of funded projects and is unable to address the needs and challenges of the other industries in the cooperative extension program. Therefore, this measure addresses

chronic staffing shortages at the Kona Research Station to ensure continuity of research and extension activities that support the various industries thriving in Hawaii County.

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. 2060, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2060, 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 (Hashimoto).

SCRep. 2513 Higher Education on S.B. No. 3191

The purpose and intent of this measure is to permanently authorize the University of Hawaii to continue to regulate conflicts of interest and other ethical issues for technology transfer activities sponsored by the University of Hawaii.

Your Committee received testimony in support of this measure from the University of Hawai'i System.

Your Committee finds that students, faculty, and alumni of the University of Hawaii generate numerous inventions and discoveries in various fields. Act 38, Session Laws of Hawaii 2017, established an exemption for technology transfer activities sponsored by the University of Hawaii from certain requirements of the State Ethics Code, which is currently scheduled to repeal on June 30, 2024. To codify existing requirements, the University of Hawaii has adopted a regent's policy, executive policy, and administrative procedures to assure compliance. Therefore, this measure makes the technology transfer requirements permanent to ensure continuity of existing practices while establishing the University of Hawaii as a driver of economic health and workforce development 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3191, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3191, 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 (Hashimoto).

SCRep. 2514 Higher Education on S.B. No. 3192

The purpose and intent of this measure is to make permanent the Innovation and Commercialization Initiative Program established within the University of Hawaii.

Your Committee received testimony in support of this measure from the University of Hawai'i System.

Your Committee finds that the University of Hawaii has the statutory authority to sponsor and directly participate in the transformation of innovations created by university researchers into viable commercial enterprises. However, to remain competitive with other institutions across the United States while supporting the State's economy, the University of Hawaii requires a robust university-level research program to support commercial innovation. This measure continues critical research conducted by the University of Hawaii to support key economic drivers of the State and workforce development initiatives.

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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3192, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3192, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Hashimoto).

SCRep. 2515 Housing on S.B. No. 2836

The purpose and intent of this measure is to:

- (1) Appropriate funds and establish within the Department of Business, Economic Development, and Tourism the Interagency Council for Maui Housing Recovery to coordinate and facilitate Maui's permanent housing recovery and facilitate consultation and collaboration between state and county agencies on housing recovery initiatives for the island of Maui; and
- (2) Designate the Executive Director of the Hawaii Housing Finance and Development Corporation to serve as chair of the council.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Office of Planning and Sustainable Development, Maui Chamber of Commerce, one member of the Maui County Council, and one individual.

Your Committee received comments on this measure from the Office of the Governor, Hawaii Public Housing Authority, and one individual.

Your Committee finds that, as one of the largest landowners on the island of Maui, the State must be proactive in coordinating planning and development efforts among public agencies to maximize the benefits derived from the development and redevelopment

of Maui's public lands following the August 2023 Maui wildfires. Your Committee also finds that effective coordination between federal, state and county government agencies, as well as the Maui community, is essential in aiding Maui's recovery. This measure creates a council that will facilitate the communication among the entities that are assisting in that effort, thereby streamlining the permanent housing recovery process.

Your Committee has amended this measure by:

- (1) Requiring the council to work with Maui-based businesses to the greatest extent possible;
- (2) Inserting the State Disaster Recovery Coordinator and the recovery support functions identified by the Governor, with their corresponding state leads, as members of the council;
- (3) Clarifying that a Hawaiian cultural advisor, rather than a cultural specialist, be included as a member of the council; 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. 2836, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2836, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2516 (Joint) Hawaiian Affairs and Water and Land on S.B. No. 2589

The purpose and intent of this measure is to increase the penalty for the desecration of burial sites from a misdemeanor to a felony.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Society for Hawaiian Archaeology, one member of the Maui Lanai Islands Burial Council, and nine individuals.

Your Committees received testimony in opposition to this measure from Pacific Rim Land, Inc.

Your Committees received comments on this measure from one individual.

Your Committees find that it is necessary for the law to reflect the seriousness of the act of disturbing human remains from burial sites without consent. This measure will increase the penalty for the desecration of burial sites from a misdemeanor to a felony to deter potential violators from harming burial sites.

Your Committees have amended this measure by:

- (1) Specifying that the first offense for desecrating a burial site without permission is a misdemeanor for which a fine of not more than \$10,000 shall be imposed;
- (2) Specifying that any subsequent offense for desecrating a burial without permission is a felony for which a fine not to exceed \$25,000 per offense shall be imposed;
- (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 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. 2589, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2589, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
Hawaiian Affairs: Ayes, 3. Noes, none. Excused, 2 (Ihara, Richards).
Water and Land: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Fevella).

SCRep. 2517 (Joint) Hawaiian Affairs and Water and Land on S.B. No. 2591

The purpose and intent of this measure is to allow individuals and ohana members to access burial sites on privately owned lands to identify, monitor, or record burial sites, or to conduct cultural practices related to burial sites.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs and nine individuals.

Your Committees received testimony in opposition to this measure from three members of the Maui Lanai Islands Burial Council; Pacific Rim Land, Inc.; and one individual.

Your Committees received comments on this measure from the Department of Land and Natural Resources and one individual.

Your Committees find that individuals and ohana possess the right to access private property to identify and record burials for inclusion in the State's inventory of burial sites, or to conduct cultural practices related to burial sites. Your Committees have heard the concerns raised in testimony, including questions regarding landowner liability and the scarcity of personnel required to enforce this measure.

Your Committees find that it is important to hold private landowners accountable for burial sites, archaeological sites, or historic property located on their land. This measure will protect and preserve culturally and historically important sites by imposing a fine on private owners that fail to disclose and record these sites.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and inserting language that imposes a fine of \$1,000 on any private landowner who:

- (A) Fails to disclose and record with the Bureau of Conveyances burial or archaeological sites located on their property that the landowner knew of or should have known of; or
 - (B) Fails to record their property with the Hawaii Register of Historic Places prior to or concurrently with a real estate transaction when the landowner knew of or should have known that an obligation existed; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2591, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2591, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
 Hawaiian Affairs: Ayes, 3. Noes, none. Excused, 2 (Ihara, Richards).
 Water and Land: Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 2518 (Joint) Hawaiian Affairs and Health and Human Services on S.B. No. 3123

The purpose and intent of this measure is to:

- (1) Authorize the Department of Hawaiian Home Lands to access vital records for purposes of verifying native Hawaiian ancestry for beneficiary programs; and
- (2) Require the Department of Health and Department of Hawaiian Home Lands to enter into a Memorandum of Agreement to assure appropriate access and handling of confidential records and sealed records that have been unsealed pursuant to court order.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands; Department of Health; Department of Human Services; Free Access Coalition; Ho‘omana Pono, LLC; and two individuals.

Your Committees find that Hawaii is a “closed record” state, which means that persons or entities must demonstrate a direct and tangible interest in a vital record to have access to the record. Allowing the Department of Hawaiian Home Lands to have access to vital records for certain purposes and under certain conditions, greatly reduces the administrative barriers to vetting claims of native Hawaiian ancestry to facilitate participation in beneficiary programs while still protecting the privacy of vital records. This measure will expedite the process to determine the eligibility of native Hawaiian individuals and families and will also ease the administrative burden of the Department of Hawaiian Home Lands.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3123, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3123, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
 Hawaiian Affairs: Ayes, 3. Noes, none. Excused, 2 (Ihara, Richards).
 Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2519 (Joint) Hawaiian Affairs and Health and Human Services on S.B. No. 263

The purpose and intent of this measure is to:

- (1) Require the State Council on Mental Health to include an unspecified number of members with demonstrated knowledge of or work experience involving Native Hawaiian health practices; and
- (2) Require council members to receive annual training on topics related to Native Hawaiian healing and health.

Your Committees received testimony in support of this measure from the State Council on Mental Health, The Queen’s Health System, and three individuals.

Your Committees find that Native Hawaiians experience distinct mental health disparities that pervade their day-to-day well-being and hinder their overall health. Native Hawaiian youth and emerging adults experience mental health crises to a greater degree than their Caucasian peers. Unsurprisingly, the mental health disparities that Native Hawaiians experience continue into old age. Your Committees also find that Native Hawaiians tend to underutilize existing mental health services and that this may be consequent to cultural incongruence with Western mental health practices. This measure prioritizes the mental health of Native Hawaiians and will provide Native Hawaiians with mental health care that is congruent to their values and beliefs.

Your Committees have amended this measure by:

- (1) Deleting language that would have required an unspecified number of members to meet certain work and experience requirements involving traditional Native Hawaiian concepts to be appointed to the State Mental Health Council;
- (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 Hawaiian Affairs 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. 263, as amended herein, and

recommend that it pass Second Reading in the form attached hereto as S.B. No. 263, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
 Hawaiian Affairs: Ayes, 3. Noes, none. Excused, 2 (Ihara, Richards).
 Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2520 (Joint/Majority) Housing and Agriculture and Environment on S.B. No. 3047

The purpose and intent of this measure is to codify the exemption from environmental impact statements for affordable housing projects that meet certain criteria.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation; Department of Business, Economic Development, and Tourism; Department of Hawaiian Home Lands; Office of Planning and Sustainable Development; Affordable Housing Connections LLC; EAH Housing; NAIOP Hawaii; and Building Industry Association Hawai'i.

Your Committees received testimony in opposition to this measure from the Sierra Club of Hawai'i, Kupuna for Mo'opuna, Conservation Council for Hawai'i, The Outdoor Circle, Maui Nui Marine Resource Council, and nineteen individuals.

Your Committees find that Hawaii is currently undergoing a housing crisis. Lengthy regulatory and entitlement processes can further delay and add unnecessary costs to the development of affordable housing projects. This measure will therefore streamline the regulatory process for qualified affordable housing projects to increase feasibility.

Your Committees have amended this measure by:

- (1) Deleting the exemption for agricultural land use districts;
- (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 Housing and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3047, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3047, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Housing: Ayes, 2. Noes, 1 (Awa). Excused, 2 (Aquino, Hashimoto).
 Agriculture and Environment: Ayes, 4; Ayes with Reservations (DeCoite, Richards). Noes, 1 (Awa). Excused, none.

SCRep. 2521 (Joint) Energy, Economic Development, and Tourism and Agriculture and Environment on S.B. No. 2935

The purpose and intent of this measure is to appropriate moneys to the Agribusiness Development Corporation for the creation of a composting program.

Your Committees received testimony in support of this measure from the Agribusiness Development Corporation, Hawai'i Farm Bureau, Hawai'i Food+ Policy, Climate Protectors Hawai'i, Hawai'i Reef and Ocean Coalition, and two individuals.

Your Committees find that the establishment of a composting program would provide a range of environmental benefits that include strengthening sustainable, local food production by using locally generated food waste and other organic materials to create compost, reducing trash in landfills, supporting water conservation, and promoting soil health by increasing the nutrient content and biodiversity of microbes in the soil. This measure establishes a composting program to strengthen the agricultural sector in the State and reduce the cost of production for local farmers.

Your Committees have amended this measure by inserting an effective date of January 1, 2060, to encourage further discussion.

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. 2935, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2935, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.
 Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2522 Energy, Economic Development, and Tourism on S.B. No. 2974

The purpose and intent of this measure is to:

- (1) Establish a Business Revitalization Task Force within the Department of Business, Economic Development, and Tourism to identify methods to improve Hawaii's general economic competitiveness and business climate, including by mitigating regulatory and tax burdens; and
- (2) Require a report to the Legislature.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaiian Telcom; Chamber of Commerce Hawaii; Hawaii Food Industry Association; and Hawaii Credit Union League.

Your Committee received testimony in opposition to this measure from UNITE HERE Local 5 and one individual.

Your Committee finds that economic development is a complex process, requiring the balance of economic growth with environmental concerns, social equity, and government finances. Your Committee further finds that establishing a task force is an important means of collecting ideas from stakeholders and discussing solutions to the challenges that the State faces concerning the complexity of its financial system.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2060, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the Department of Business, Economic Development, and Tourism's testimony requests an appropriation of \$200,000 for one full-time equivalent(1.0 FTE) position or the hiring of a consulting firm to implement the purposes of this measure. Therefore, your Committee respectfully requests that your Committee on Ways and Means consider inserting an appropriation amount of \$200,000 for fiscal year 2024-2025, should it choose to deliberate on this measure.

Your Committee further notes the testimony of the Chamber of Commerce Hawaii, and finds that the issued raised therein merit further discussion and consideration of the inclusion of the following language:

- (1) The business revitalization task force shall be composed of at least twenty members serving a term of at least two years, including the following members of the Hawaii business community:
 - (A) Seven representatives from any of Hawaii's regional chambers of commerce/business associations, including but not limited to Chamber of Commerce Hawaii, Maui Chamber of Commerce, Kauai Chamber of Commerce, Kona-Kohala Chamber of Commerce, Hawaii Island Chamber of Commerce, Lanai Chamber of Commerce, Molokai Chamber of Commerce, Kapolei Chamber of Commerce, North Shore Chamber of Commerce, Kailua Chamber of Commerce, and others;
 - (B) Five representatives from any of the following ethnic and diversity chambers of commerce including but not limited to the Chinese Chamber of Commerce, Japanese Chamber of Commerce, Filipino Chamber of Commerce, Hispanic Chamber of Commerce, Black Chamber of Commerce, Rainbow Chamber of Commerce, and more; and
 - (C) One member of the Small Business Regulatory Review Board;

Provided that a vacancy on the task force be filled in the same manner as the original appointment; provided further the terms of the members shall be for one year;

- (2) The task force shall elect a chair and vice chair from among its members;
- (3) The task force shall meet as necessary, but at least quarterly, at the call of the chair and at the time and place designated by the chair. The task force may conduct its meetings through teleconferences or other similar means;
- (4) The task force shall develop recommendations for improving governmental operations and reducing costs. Staff to assist the task force in performing its duties shall be assigned by the President of the Senate, the Speaker of the House of Representatives, and the Governor. The task force shall consider reports issued by the Auditor; Ethics Commission; Department of Business, Economic Development, and Tourism; the University of Hawaii Economic Research Organization; and other relevant reports; and
- (5) The task force may submit all or part of its recommendations at any time during the year, but a final report summarizing its recommendations shall be submitted at the completion of its work.

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. 2974, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2974, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2523 Energy, Economic Development, and Tourism on S.B. No. 3235

The purpose and intent of this measure is to:

- (1) Establish the Solar Hui Program to allow multi-family residential property owners to invest into a Solar Hui Investment Fund to provide loans to low- and moderate-income households to install solar energy systems; and
- (2) Make an appropriation for the establishment of one-full time equivalent (1.0 FTE) Solar Hui Program Fund Manager position.

Your Committee received testimony in support of this measure from the Hawaii Green Infrastructure Authority, Greenpeace Hawaii, Hawaii Bankers Association, Climate Protectors Hawaii, Blue Planet Foundation, 350 Hawaii.org, Kauai Climate Action Coalition, Hawai'i Association of REALTORS, Green Party of Hawai'i, Hawaii Credit Union League, and seven individuals.

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

Your Committee finds that condominium units represent almost one-third of the State's housing stock. Your Committee further finds that this measure will complement the Hawaii Green Infrastructure Authority's equitable energy goals by providing a venue for multi-family residential property owners to accelerate clean energy adoption by investing in a fund to lower the energy burden for low- and moderate-income households by installing solar+ storage systems through energy services agreements.

Your Committee has amended this measure by:

- (1) Inserting a definition for “energy services agreement”;
- (2) Adding “energy project” to the definition of “solar energy system”;
- (3) Changing the financing vehicle of loans to energy services agreements;
- (4) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (5) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

Your Committee notes that this measure contains an appropriation for an unspecified amount. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider an appropriate amount to be inserted into in this measure.

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. 3235, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3235, 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. 2524 Energy, Economic Development, and Tourism on S.B. No. 2406

The purpose and intent of this measure is to:

- (1) Require contracts entered into by the Hawaii Tourism Authority for management of the Hawaii Convention Center facility to include marketing for all uses of the facility; and
- (2) Require the Hawaii Tourism Authority to submit a report.

Your Committee received testimony in support of this measure from four individuals.

Your Committee received comments on this measure from the Hawai‘i Tourism Authority.

Your Committee finds that the Hawaii Convention Center is important for the State’s ability to host large meetings, conventions, and events. Your Committee further finds that large scale events require coordination and that including marketing for all uses of the convention center into contracts for management of the convention center will increase coordination by contractors.

Your Committee has amended this measure by 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 makes recommendations as to the appropriate time interval for the Hawaii Tourism Authority to submit its reports, as proposed by this measure.

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. 2406, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2406, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2525 (Joint) Energy, Economic Development, and Tourism and Agriculture and Environment on S.B. No. 2500

The purpose and intent of this measure is to:

- (1) Establish a food and product innovation network within the Agribusiness Development Corporation; and
- (2) Make an appropriation for food and product innovation facilities on the islands of Molokai, Oahu, and Hawaii.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Agribusiness Development Corporation; University of Hawai‘i System; Ulupono Initiative; Hawai‘i Farm Bureau; and one individual.

Your Committees find that establishing a food and product innovation network is critical to meeting the State’s agricultural and economic diversification goals. Your Committees further find that the innovation network will allow businesses in the State to capitalize globally on the “made in Hawaii”, “produced in Hawaii”, or “processed in Hawaii” brand; create world-class products; and scale up production by providing the businesses with access to a diverse suite of manufacturing equipment and industry expertise.

Your Committees have amended this measure by:

- (1) Inserting a blank appropriation amount for the establishment of one full-time (1.0 FTE) position; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

Your Committees note this measure, as amended, contains an appropriation for an unspecified amount. Should your Committee on Ways and Means choose to deliberate on this measure, your Committees respectfully request that it consider an appropriate amount to be inserted.

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. 2500, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2500, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2526 (Joint) Energy, Economic Development, and Tourism and Agriculture and Environment on S.B. No. 2675

The purpose and intent of this measure is to:

- (1) Require the Hawaii State Energy Office, in collaboration with the Department of Agriculture and Department of Land and Natural Resources, to facilitate the private sector's development of renewable energy projects that also support agricultural food production;
- (2) Establish within the Hawaii State Energy Office a three-year Phytoremediation Biofuels Pilot Program to be conducted by the Hawaii State Energy Office in collaboration with the Department of Agriculture and Department of Land and Natural Resources;
- (3) Require a report to the Governor and Legislature; and
- (4) Make appropriations, including for the establishment of an Interagency Liaison position within the Hawaii State Energy Office.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office; Pacific Biodiesel Technologies, LLC; Hawai'i Food+ Policy; and three individuals.

Your Committees received comments on this measure from the Department of Agriculture and Hawai'i Farm Bureau.

Your Committees find that the State is committed to increasing the amount of locally grown food to help improve food security and self-sufficiency. Your Committees further find that there are many acres of suitable farmland currently being used solely for renewable energy projects that could simultaneously help support both the State's renewable energy and food security goals. This measure further helps the State advance these goals.

Your Committees have amended this measure by:

- (1) Inserting language to amend the permitted uses for all lands with soil classified by the Land Study Bureau's detailed land classification as overall (master) productivity rating class A or B and for solar energy facilities, class B or C;
- (2) Inserting an effective date of January 1, 2060, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that this measure contains appropriations in unspecified amounts. Should your Committee on Ways and Means choose to deliberate on this measure, your Committees respectfully request that it consider appropriate amounts to be inserted into this measure.

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. 2675, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2675, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2527 (Joint) Agriculture and Environment and Health and Human Services on S.B. No. 2426

The purpose and intent of this measure is to:

- (1) Require certain priority level 1 cesspools to be upgraded, converted, or connected before January 1, 2035;
- (2) Require priority level 2 cesspools to be upgraded, converted, or connected before January 1, 2040;
- (3) Appropriate an unspecified amount of funds to implement the Cesspool Compliance Pilot Grant Project established pursuant to Act 153, Session Laws of Hawaii 2022; and
- (4) Establish a Cesspool Upgrade, Conversion, or Connection Income Tax Credit.

Your Committees received testimony in support of this measure from the Department of Health, Hawaii Green Infrastructure Authority, Hawai'i Climate Change Mitigation and Adaptation Commission, University of Hawai'i Sea Grant College Program, UH Water Resources Research Center, one member of the Kauai County Council, Environmental Caucus of the Democratic Party of Hawai'i, Wastewater Alternatives and Innovations LLC, Friends of Hanauma Bay, Public Access to SunScreens Coalition, The Coral Reef Alliance, Kua'aina Ulu 'Auamo, Puakō for Reefs, Indivisible Hawaii, Hawai'i Reef and Ocean Coalition, Climate Protectors Hawai'i, and eight individuals.

Your Committees received testimony in opposition to this measure from Kingdom Pathways.

Your Committees received comments on this measure from the Department of the Attorney General, Department of Taxation, Hawai'i Association of REALTORS, and Tax Foundation of Hawaii.

Your Committees find that the Cesspool Conversion Working Group established pursuant to Act 132, Session Laws of Hawaii 2018, was convened to facilitate the upgrade or conversion of cesspools on properties within priority upgrade areas to more environmentally-responsible waste treatment systems or the connection of these cesspools to sewer systems before 2050. This measure implements various recommendations of the Cesspool Conversion Working Group.

According to testimony received by your Committees, prioritizing and accelerating conversion dates for cesspool systems with the most severe impacts will not only provide more timely protection of the State's groundwater sources, but also a sense of urgency to property owners, while allowing the industry to gear up for increased demand. Additional testimony also stated that the provision of grants to certain owners and lessees on Hawaiian home lands and tax credits on qualified cesspool upgrades, conversions, and connections will help offset the cost to comply with the 2050 deadline. Your Committees recognize the high cost of upgrading, converting, or connecting for the average owner of a cesspool in the State, and respectfully requests that the establishment of a cesspool conversion grant program for low- and moderate-income families be considered as this measure moves forward in the legislative process.

Your Committees further recognize the concerns raised by the Department of the Attorney General that section 8 of this measure, which eliminates the auditing requirement on tax credits for organically produced agricultural products, is beyond the scope of the title of this measure and therefore may violate the single subject requirement of Section 14, Article III of the Hawaii State Constitution.

Accordingly, your Committees have amended this measure by:

- (1) Deleting section 8 of this measure; 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 Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2426, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2426, 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, none. Excused, 2 (DeCoite, Richards).

Health and Human Services: Ayes, 5. Noes, none. Excused, none.

SCRep. 2528 (Joint) Agriculture and Environment and Public Safety and Intergovernmental and Military Affairs on S.B. No. 2561

The purpose and intent of this measure is to:

- (1) Prohibit intentionally leaving or confining a pet animal in a vehicle under conditions that endanger the pet animal's health, safety, or well-being;
- (2) Permit law enforcement officers, animal control officers, and firefighters to enter an unattended vehicle to protect the health, safety, or well-being of a pet animal that is endangered by being left or confined in an unattended vehicle; and
- (3) Allow private citizens to rescue a pet animal that has been left in an unattended vehicle under certain circumstances.

Your Committees received testimony in support of this measure from the Animal Legal Defense Fund, Animal Rights Hawaii, 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 leaving a pet animal unattended in a vehicle can too often have tragic consequences. Your Committees recognize that the State experiences higher temperatures than most places year-round and that the temperature inside of a parked vehicle can rise rapidly, making it lethal for any unattended pet animals left or confined in a vehicle. This measure provides certain individuals who remove or retrieve an unattended pet animal from a vehicle immunity from civil and criminal liability, under certain circumstances. According to testimony received by your Committees, fourteen other states have passed similar measures and there has been no evidence that the passage of this measure would result in a rash of car window smashing across the State.

Your Committees recognize the concerns from the Department of the Attorney General regarding language throughout the measure.

Accordingly, your Committees have amended this measure by:

- (1) Deleting:
 - (A) Language relating to when a pet animal is accidentally left in a vehicle;
 - (B) The definitions of "person" and "unattended vehicle"; and
 - (C) The word "extreme" from the definitions of "extreme cold" and "extreme heat";
- (2) Placing language relating to affirmative defenses for criminal property damage to a vehicle as a result of the removal or retrieval of a pet animal under a new section of chapter 708, Hawaii Revised Statutes, relating to offenses against property rights;

- (3) Clarifying the type of attempts a private citizen must make to contact law enforcement before entering a vehicle to rescue an unattended pet animal;
- (4) Amending the violation for intentionally leaving or confining a pet animal in a vehicle under conditions that endanger their health, safety, or well-being from a \$500 fine to a misdemeanor under section 711-1109(1)(2), Hawaii Revised Statutes, relating to cruelty to animals in the second degree; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and 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. 2561, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2561, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Richards).

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 2529 Agriculture and Environment on S.B. No. 1590

The purpose and intent of this measure is to:

- (1) Direct the Department of Agriculture to assess steps necessary:
 - (A) For the State to supplement federal authority to perform meat inspections with state inspectors; and
 - (B) To fully transfer meat inspection authority from federal authority to the State; and
- (2) Appropriate an unspecified amount of funds for the establishment of three full-time equivalent (3.0 FTE) inspector positions within the Department of Agriculture to perform meat inspections.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farm Bureau; and Hawaii Cattlemen's Council, Inc.

Your Committee received comments on this measure from the Animal Welfare Institute.

Your Committee finds that the inspection of livestock prior to slaughter is a critical step to ensuring the quality and safety of the State's locally produced meat supply. Your Committee further finds that the State's meat inspection program was discontinued in the mid-1990s and since then, the State has been wholly relying on the United States Department of Agriculture Food Safety Inspection Service to perform meat inspection services statewide. Your Committee believes that steps must be taken to restore the State's ability to inspect local poultry and livestock. According to testimony received by your Committee, a state food safety and inspection service could help increase processing capacity, diversify processing options and reduce processing bottleneck, allow producers to process livestock in remote and rural locations, reduce transportation time and costs, and support producers' ability to donate locally produced meat to food banks and other community feeding programs. This measure promotes the continued growth of the State's poultry and livestock industries, while maintaining food safety standards.

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 Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1590, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1590, 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. 2530 Agriculture and Environment on S.B. No. 2413

The purpose and intent of this measure is to require the Board of Agriculture to submit a report to the Legislature prior to the convening of the Regular Session of 2025 on the:

- (1) Percentage of agricultural lands that are suitable for farming and agricultural lands that are actively farmed; and
- (2) Certain dollar amounts relating to lease transfers between lessees of agricultural lands.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau, Hawaii Food+ Policy, Purple Mai'a Foundation, and one individual.

Your Committee received testimony in opposition to this measure from the Department of Agriculture.

Your Committee finds that the State is the largest landowner in Hawaii and has the responsibility for ensuring that public land is used prudently for the benefit of its residents. According to testimony received by your Committee, accurate data on public agricultural lands, especially those leased, will help optimize public and private investments in agriculture to meet the State's local food production and agricultural sustainability goals. The report required under this measure seeks to identify public, productive agricultural lands, while protecting their use under the state and county land use regulatory systems.

Your Committee has amended this measure by:

- (1) Deleting the requirement for the report to include the dollar amount of infrastructure improvements by the original lessee made on agricultural land transferred to another lessee; and
- (2) Making 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. 2413, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2413, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2531 Agriculture and Environment on S.B. No. 572

The purpose and intent of this measure is to:

- (1) Allow the Department of Agriculture (Department) to declare a biosecurity emergency in certain circumstances and with the approval of the Governor;
- (2) Outline the terms of a declared biosecurity emergency;
- (3) Require the Department to implement certain requirements for agricultural commodity importers; and
- (4) Allow the Department to:
 - (A) Impose fines on agricultural commodity importers who fail to comply with the requirements;
 - (B) Subpoena necessary documentation from agricultural commodity importers relating to a known or suspected infestation of pests; and
 - (C) Quarantine any farm, facility, or business that is known to be infested with pests.

Your Committee received testimony in support of this measure from the Department of Agriculture; Department of Land and Natural Resources; Hawaii Cattlemen's Council, Inc.; and Ka 'Ohana O Na Pua.

Your Committee received comments on this measure from the Coordinating Group on Alien Pest Species.

Your Committee finds that the entry and establishment of a new, devastating pest or disease is an ever-present reality, given the increase and expansion of global trade and travel. Your Committee recognizes that the arrival and spread of new invasive species in the State can lead to significant economic and environmental loss. According to testimony received by your Committee, this measure is a major step in enabling the Department of Agriculture to rapidly respond to new pest introductions.

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. 572, S.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 (Rhoads). Noes, none. Excused, none.

SCRep. 2532 Agriculture and Environment on S.B. No. 3247

The purpose and intent of this measure is to alleviate the costs of interisland shipping for farmers and ranchers in the State by establishing an interisland produce shipping tax credit for transportation costs incurred by certain taxpayers who ship produce and agricultural goods between counties.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farm Bureau; Hawai'i Alliance for Progressive Action; Hawai'i Farmers Union United; Hawaii Food Industry Association; Malama Kauai; Women Organizing for Change in Agriculture and Natural Resource Management; Hawaii Food+ Policy; We Are One, Inc.; and fifty-nine 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 because Hawaii is an island state, any increase in the cost of interisland transportation creates a barrier to market for many local ranchers and farmers. Your Committee recognizes that shipping and transportation costs are a leading barrier to expansion for many local ranchers and farmers as well. 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, for a portion of the cost to transport agricultural commodities or inputs used to produce the agricultural commodities. Your Committee believes that providing a similar state incentive will reduce farming and ranching costs and facilitate an increase in local food production, while reducing the cost for local consumers to purchase local agriculture products.

Your Committee acknowledges the concerns raised by the Department of the Attorney General that the definition of "qualified taxpayer" may trigger a challenge under the Privilege and Immunities Clause of the United States Constitution as it could be construed to impose a residency requirement to be eligible for the tax credit, thereby discriminating against residents of another state.

Accordingly, your Committee has amended this measure by:

- (1) Amending the definition of "qualifying taxpayer" by deleting "is located in the State";

- (2) Inserting a definition for “broad line distributor”;
- (3) Making it applicable to taxable years beginning after December 31, 2024; 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. 3247, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3247, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2533 Agriculture and Environment on S.B. No. 3079

The purpose and intent of this measure is to:

- (1) Clarify the requirement for the Public Utilities Commission (PUC) to consider the effect of the State’s reliance on fossil fuels on generation-based greenhouse gas emissions, rather than on greenhouse gas emissions;
- (2) Allow the PUC the discretion on whether to require an analysis for energy projects that do not result in generation-based greenhouse gas emissions;
- (3) Clarify that the PUC, to lower and stabilize the cost of electricity, consider, in part, the costs and benefits of a diverse portfolio of energy resources, rather than a diverse portfolio of fossil fuels; and
- (4) Make conforming amendments.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, Hawaiian Electric, and Hawaii Clean Power Alliance.

Your Committee received comments on this measure from the Hawai’i State Energy Office.

Your Committee finds that, when determining the reasonableness of the costs regarding energy projects of electric and gas systems, the PUC is required to conduct an analysis to consider the effect of the State’s reliance on fossil fuels on certain matters, such as greenhouse gas emissions. However, your Committee recognizes that not only are these analyses time-consuming and costly, but these costs are usually passed on to ratepayers. By giving the PUC discretion to conduct these analyses for projects with zero generation-based greenhouse gas emissions, this measure reduces costs to ratepayers while supporting more timely review of energy projects in the State.

However, your Committee recognizes concerns from the Hawaii State Energy Office regarding the inconsistency and ambiguity of this measure as it pertains to greenhouse gas emissions, and that omitting the analysis of lifecycle greenhouse gas emissions is inconsistent with the intent of this measure and the PUC’s duty to protect public interest.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the PUC analyze the effect of the State’s reliance on fossil fuels on lifecycle greenhouse gas emissions for projects involving fuel combustion; provided that the PUC may require a lifecycle greenhouse gas emissions analysis for energy projects that do not involve the combustion of fuel;
- (2) Inserting a definition of “lifecycle greenhouse gas emissions assessment”; 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. 3079, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3079, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2534 Agriculture and Environment on S.B. No. 3329

The purpose and intent of this measure is to require the disclosure of any little fire ant infestations as part of the sale of residential real property.

Your Committee received testimony in support of this measure from the Kalani Ohana Farm and four individuals.

Your Committee received comments on this measure from the Department of Agriculture, Hawaii Pest Control Association, and Hawai’i Association of REALTORS.

Your Committee finds that the little fire ant is an invasive pest that is difficult to manage and is spreading throughout the State. Your Committee recognizes that although certain homeowners have gone to extreme lengths to limit the spread of little fire ants, there are others who do not take reasonable measures to prevent little fire ant infestations, nor do they take reasonable measures to treat their property once it has been infested, thereby leading to the infestation of little fire ants on surrounding properties. Your Committee believes that a little ant infestation is a material fact that could measurably affect the value of residential real property being offered for sale. This measure requires the seller of a residential real property to provide whether the property has had any infestation of little fire ants in a disclosure statement to the buyer.

Your Committee has amended this measure by inserting language to require the seller of a residential property to disclose if a little fire ant infestation on the property was treated and the date and who provided the treatment.

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. 3329, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3329, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (DeCoite, Richards).

SCRep. 2535 (Majority) Agriculture and Environment on S.B. No. 2545

The purpose and intent of this measure is to:

- (1) Amend electronic manufacturer recycling goals under the Electronic Device Recycling Recovery Act to be based upon the manufacturer's overall market share in the State;
- (2) Amend the per pound penalty for any shortfall in meeting the manufacturer recycling goals to be a tiered penalty based upon the amount of the shortfall;
- (3) Exclude floor-standing printers and printers with optional floor stands from the definition of a covered electronic device under the Electronic Device Recycling Recovery Act; and
- (4) Make other housekeeping amendments.

Your Committee received testimony in support of this measure from the Consumer Technology Association and Retail Merchants of Hawaii.

Your Committee received testimony in opposition to this measure from the Mr. K's Recycle and Redemption Center, Recycle Hawaii, and six individuals.

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

Your Committee finds that manufacturers of electronic devices are struggling to comply with Act 151, Session Laws of Hawaii 2022, which amended provisions of the State Electronic Waste Recycling Program to assist in the overall effort of recycling electronic waste in the State. Your Committee recognizes that manufacturers especially struggle with the increased weight targets, as the weights of electronics have decreased over time. Your Committee further recognizes that the increased shortfall penalties to these manufacturers for failing to meet the updated electronic device collection requirements may lead to increased production costs that may ultimately be passed to consumers.

Although this measure aims to address the issues and complications that electronic device manufacturers face with the updated recycling goals, your Committee has heard the concerns raised and finds that the language of S.B. No. 3264, Regular Session of 2024, a substantially similar measure that increases electronic waste collection opportunities, is preferable.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 3264, that allows manufacturers of electronic devices to:
 - (A) Coordinate collection activities to meet the requirements of the Electronic Device Recycling and Recovery Act; and
 - (B) Be considered to have satisfied recycling goals by providing only collection service locations for recycling at no cost to the owner in each county and zip code tabulation area with a population greater than twenty-five thousand, under certain circumstances; 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 Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2545, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2545, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 2. Noes, 1 (Awa). Excused, 2 (DeCoite, Richards).

SCRep. 2536 Agriculture and Environment on S.B. No. 2432

The purpose and intent of this measure is to establish a tax credit for food manufacturers who produce value-added products using local crops.

Your Committee received testimony in support of this measure from the Department of Agriculture and Hawaii Food+ Policy.

Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the State has a goal to double local food production by 2030. One barrier to that goal is that there is little access to capital for food manufacturing and few incentives for investment in Hawaii's food manufacturing industry. Your Committee recognizes that value-added food manufacturers in the State face high production costs and narrow profit margins, which imposes financial burdens and deters the creation and distribution of food products in the State. The tax credit as provided in this measure can incentivize food manufacturers to utilize local agricultural yields to reduce food waste; develop new products; and increase revenues in the State.

Your Committee has amended this measure by:

- (1) Capping the maximum amount of the tax credit to be claimed by a qualified taxpayer in each taxable year at \$100,000; and
- (2) Capping the total amount of tax credits to be claimed in the State for each taxable year at \$10,000,000.

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. 2432, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2432, 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. 2537 Agriculture and Environment on S.B. No. 2399

The purpose and intent of this measure is to exempt from the general excise tax the first \$200,000 of the gross proceeds received by a farmer for the sale of produce.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs and Hawaii Food+ Policy.

Your Committee received comments on this measure from the Department of Agriculture, Department of Attorney General, Department of Taxation, and Tax Foundation of Hawaii.

Your Committee finds that the State has a local food security and self-sufficiency goal to double local food production for local consumption by 2030. Your Committee further finds that providing tax relief to those who cultivate land in the State to grow produce for human consumption will reduce the production cost of fresh fruits and vegetables, making local fruits and vegetables more competitive and increasing sales and profits to farmers and the agricultural industry in the State.

Your Committee acknowledges the concerns raised by the Department of the Attorney General that the definition of “farmer” may trigger a challenge under the Dormant Commerce Clause as it could be construed to benefit in-state economic interests by burdening out-of-state competitors.

Accordingly, your Committee has amended this measure by amending the definition of “farmer” by deleting the phrase “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. 2399, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2399, 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. 2538 (Joint) Agriculture and Environment and Health and Human Services on S.B. No. 2425

The purpose and intent of this measure is to:

- (1) Authorize and appropriate \$150,000 from the Water Pollution Control Revolving Fund to the Department of Health to retain qualified consultants as necessary to:
 - (A) Identify necessary public outreach and education resources and tools; and
 - (B) Develop a comprehensive public outreach strategy and website to serve as a statewide clearinghouse for information and resources for homeowners and wastewater industry professionals related to cesspool conversion; and
- (2) Require that mandatory seller disclosures in residential real estate transactions include certain information on any cesspool on the property.

Your Committees received testimony in support of this measure from the Department of Health, Hawaii Climate Change Mitigation and Adaptation Commission, Hawaii Green Infrastructure Authority, University of Hawai‘i Sea Grant College Program, UH Water Resources Research Center, one member of the Kauai County Council, Environmental Caucus of the Democratic Party of Hawai‘i, Indivisible Hawaii, Puakō for Reefs, Kua‘āina Ulu ‘Auamo, Wastewater Alternatives and Innovations LLC, Hawai‘i Reef and Ocean Coalition, Climate Protectors Hawai‘i, Public Access to SunScreens Coalition, and seven individuals.

Your Committees received comments on this measure from the Hawai‘i Association of REALTORS and Kingdom Pathways.

Your Committees find that to reduce water pollution, unless exempted by the Department of Health, all cesspools in the State are required to be updated or converted to another method of waste disposal or connected to a sewerage system by January 1, 2050. Your Committees recognize that the Cesspool Conversion Working Group established pursuant to Act 132, Session Laws of Hawaii 2018, was convened to address the costs, terrain, and other geologic and geographic factors that complicate the upgrading or conversion of cesspools in many areas of the State. This measure facilitates the timely upgrade, conversion, and connection of cesspools in the State by adopting various recommendations of the Cesspool Conversion Working Group.

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 S.B. No. 2425 and recommend that it pass Second Reading and be referred to your Committees on Ways and Means and Commerce and Consumer Protection.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Richards).

Health and Human Services: Ayes, 5. Noes, none. Excused, none.

SCRep. 2539 (Joint) Agriculture and Environment and Health and Human Services on S.B. No. 2421

The purpose and intent of this measure is to appropriate an unspecified amount of funds for the:

- (1) Continued administration of the Hawaii Healthy Food Incentive Program; and
- (2) Provision of matching funds to beneficiaries who participate in the Supplemental Nutrition Assistance Program.

Your Committees received testimony in support of this measure from the Department of Agriculture; Department of Health; Department of Human Services; City and County of Honolulu's Office of Economic Revitalization, Hawaii Medical Service Association; Hawaii's Farm Bureau; Hawaii's Public Health Institute; Hawaii Food Industry Association; Hawaii's Farmers Union United; Ulupono Initiative; Hawaii Primary Care Association; AARP Hawaii; Volcano Precious Plastic LLC; Farm Link Hawaii; Hawaii Food Bank, Inc.; Hawaii's Pacific Health, Zonta Club of Hilo; Hawaii's Alliance for Progressive Action; Pacific Gateway Center; Hawaii's Good Food Alliance; Pele Lani Farm LLC; Aloha United Way, Inc.; Hawaii Food+ Policy; Kaiser Permanente Hawaii; Malama Kauai; The Food Basket Inc.; Balanced Hawaii Eats, LLC; Democratic Party of Hawaii; Hawaii's Children's Action Network Speaks!; Hawaii Chapter of 350.org; Ho'ōla Farms; Hawaii Appleseed Center for Law & Economic Justice; AlohaCare; Kōkua Kalihi Valley (Comprehensive Family Services); Hawaii Association of Health Plans; Adaptations Inc.; Chamber of Commerce Hawaii; Big Tree Farm LLC; Indivisible Hawaii; Hawaii's Hunger Action Network; Local Food Coalition; Climate Protectors Hawaii; Save Medicare Hawaii; and seventy-nine individuals.

Your Committees find that every community should have access to fresh and healthy dietary options, but the high cost of fresh produce and healthy alternatives often makes that difficult. Your Committees further find that the Hawaii Healthy Food Incentive Program, now commonly known as the DA BUX Double Up Program, provides a dollar-for-dollar match to federal Supplemental Nutrition Assistance Program beneficiaries who purchase locally grown fruits, vegetables, and proteins at participating farmers' markets, grocery stores, and community-supported agriculture projects. Your Committees note that a \$3,000,000 investment by the State in DA BUX Double Up Program would allow the statewide program coordinator, led by The Food Basket Inc., to apply for an additional \$3,000,000 in matching federal funds, totaling \$6,000,000. This measure not only supports the health of local families and farmers, but also the local economy.

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 S.B. No. 2421 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, none. Excused, 2 (DeCoite, Richards).

Health and Human Services: Ayes, 5. Noes, none. Excused, none.

SCRep. 2540 Agriculture and Environment on S.B. No. 2790

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture to conduct a study on agricultural markets for Hawaii farmers;
- (2) Appropriate an unspecified amount of funds for the establishment of:
 - (A) One full-time equivalent (1.0 FTE) data scientist, statistician, or market analyst position to conduct data analysis; and
 - (B) One full-time equivalent (1.0 FTE) field researcher position to collect relevant agricultural data for the agricultural statistics services to build an agricultural data dashboard for public consumption; and
- (3) Appropriate \$200,000 for the one-year study on agricultural markets for Hawaii farmers.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawaii's Farm Bureau; Hawaii Food+ Policy; Hawaii Cattlemen's Council; and one individual.

Your Committee finds that the efficacy of decision-making, statewide planning, and sustainable growth of the agricultural industry is highly dependent on the availability of timely, specific, reliable, accurate, and useful statistics. This measure provides much needed resources to strengthen and upgrade the collection, analysis, and dissemination of critical agricultural data to help the State's farmers and ranchers survive and thrive.

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. 2790 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2541 Agriculture and Environment on S.B. No. 3261

The purpose and intent of this measure is to:

- (1) Establish a Local Agriculture Transportation Cost Reimbursement Program to reimburse eligible ranchers and farmers a portion of their costs to transport livestock, livestock products, agricultural commodities, and certain supplies under certain circumstances; and
- (2) Appropriate an unspecified amount of funds for the Department of Agriculture to fund and administer the Local Agriculture Transportation Cost Reimbursement Program.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawaii Food Industry Association; Hawaii Cattlemen's Council, Inc.; and Hawaii Food+ Policy.

Your Committee finds that because Hawaii is an island state, any increase in the cost of interisland transportation creates a barrier to market for many local ranchers and farmers. Your Committee recognizes that shipping and transportation costs are a leading barrier to expansion for many local ranchers and farmers as well. According to testimony received by your Committee, when an interisland cargo carrier increased its shipping rate by forty-six percent in 2020, many agricultural producers, particularly those on neighbor islands, could no longer afford to ship their products to other islands, resulting in lost sales and market share. The Local Agriculture Transportation Cost Reimbursement Program proposed in this measure will offset high shipping and transportation costs for local food producers; make locally grown food more competitive with imported products and more available and accessible to consumers and manufacturers on other islands; and incentivize more agricultural production 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. 3261 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. 2542 Agriculture and Environment on S.B. No. 3025

The purpose and intent of this measure is to:

- (1) Clarify that the Department of Agriculture shall not require inspections or sampling of hemp that duplicate inspections and sampling required by the United States Department of Agriculture; and
- (2) Repeal the requirement for the Department of Agriculture to adopt rules necessary to address nuisance issues, including smell, noise, and excessive lighting, arising out of the activities of certain hemp growers.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Farmers Union United, 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 production. However, your Committee further 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 production. Your Committee recognizes that 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 and add additional and duplicative regulations for Hawaii's hemp growers. Accordingly, this measure eliminates any redundancies and confusion arising from conflicting rules and increasing the challenge to enforce the State's laws on commercial hemp production.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3025 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 (Richards). Noes, none. Excused, none.

SCRep. 2543 Agriculture and Environment on S.B. No. 3315

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture to use consistent units of measurement in its summary to the public on the amounts of restricted use pesticides used; and
- (2) Establish a one-half mile buffer zone for pesticides around schools and state and county public parks.

Your Committee received testimony in support of this measure from the Hawai'i Alliance for Progressive Action; Hui O Kuapa; Women Organizing for Change in Agriculture and Natural Resource Management; Green Party of Hawai'i; We Are One, Inc.; Hawaii Chapter of Americans for Democratic Action Inc; Democratic Party of Hawai'i; Education Caucus of the Democratic Party of Hawai'i; Beyond Pesticides; Hawaii Reef and Ocean Coalition; Beyond Organic Consulting Inc.; Mohala Farms; Kanalani Ohana Farm; and seventy-three individuals.

Your Committee received testimony in opposition to this measure from the Hawai'i Farm Bureau; Hawaii Crop Improvement Association; Sugarland Farms, Inc.; and one individual.

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

Your Committee finds that pesticide exposure can cause significant harm to public health and the environment, especially restricted use pesticides, as deemed by the State. Your Committee further finds that many residents are especially concerned regarding the long-term health effects and potential negative impacts of pesticide drift on children, particularly due to the prevailing trade winds that blow throughout the State. According to testimony received by your Committee, leading academic institutions have published peer reviewed research, some funded by the United States Environmental Protection Agency, that clearly demonstrates that a half mile buffer zone is required to provide adequate health protection for children from pesticide exposure. This measure seeks to further ensure that data is collected regarding restricted use pesticide use is standardized and that highly sensitive areas, such as schools and public parks, are protected from the potential negative effects of long-term pesticide exposure.

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. 3315 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (DeCoite, Richards). Noes, none. Excused, none.

SCRep. 2544 Agriculture and Environment on S.B. No. 3316

The purpose and intent of this measure is to:

- (1) Require monthly rather than annual reporting of pesticide use;
- (2) Amend the contents of the reports to include detailed geospatial information, site specific identifying information, and increased detail and uniformity in amount of product and chemical applied; and
- (3) Require the Department of Agriculture to develop an online reporting tool for restricted use pesticide reporting.

Your Committee received testimony in support of this measure from Beyond Pesticides, Hawai'i Farmers Union United, Hawaii Alliance for Progressive Action, Hawaii Reef and Ocean Coalition, Beyond Organic Consulting Inc., Kanalani Ohana Farm, and fifty-four individuals.

Your Committee received testimony in opposition to this measure from the Hawai'i Farm Bureau; Hawaii Pest Control Association; Sugarland Farms, Inc.; and one individual.

Your Committee received comments on this measure from the Department of Agriculture and Hawaii Crop Improvement Association.

Your Committee finds that pesticide exposure can cause significant harm to public health and the environment, especially restricted use pesticides, as deemed by the State. According to testimony received by your Committee, the restricted use pesticides reporting requirement established by Act 45, Session Laws of Hawaii 2018, does not serve the purpose of public education and data-based research for which it was intended. This measure protects the health of environment and people of the State and enables more informed public health decision—making by amending the frequency and quality of the restricted use pesticides reporting and requiring the development of an online restricting use pesticide reporting tool.

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. 3316 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; Ayes with Reservations (DeCoite, Richards). Noes, none. Excused, none.

SCRep. 2545 Agriculture and Environment on S.B. No. 3026

The purpose and intent of this measure is to replace representatives of the sugar and pineapple industries on the Advisory Committee on Pesticides with representatives of the coffee and diversified agriculture industries.

Your Committee received testimony in support of this measure from the Department of Agriculture, University of Hawai'i System, Office of Hawaiian Affairs, and Hawaii Food+ Policy.

Your Committee finds that the Advisory Committee on Pesticides advises and assists the Department of Agriculture in developing and revising laws and rules to carry out and effectuate the Hawaii Pesticides Law. Your Committee recognizes that the existing membership of the Advisory Committee includes representatives of the sugar and pineapple industries as sugar and pineapple plantations were once the foundation of Hawaii's agricultural economy. However, since the 1970s, the number of sugar and pineapple plantations in the State has greatly decreased, giving way to producers of coffee and other diversified agriculture. This measure updates the membership of the Advisory Committee on Pesticides to better represent the existing composition of the agriculture industry 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. 3026 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. 2546 Agriculture and Environment on S.B. No. 3361

The purpose and intent of this measure is to include oilseed cover crops into the Cover Crop Reimbursement Pilot Program established pursuant to Act 312, Session Laws of Hawaii 2022.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau.

Your Committee finds that the Cover Crop Reimbursement Pilot Program established pursuant to Act 312, Session Laws of Hawaii 2022, was established to incentivize the use of beneficial land management practices that enhance the quality and sustainability of Hawaii's agricultural lands. This measure updates the definitions of cover crop and green manure to include oilseed cover crops, which not only increase pollinator health and biodiversity, but also can be used to produce firm renewable energy. Incentivizing the production of oilseed cover crops will not only increase agricultural productivity, but also align with the State's integrated sustainability goals.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3361 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. 2547 Agriculture and Environment on S.B. No. 2961

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture to establish a two-year Agricultural Workforce Housing Working Group to address the shortage and challenges of agricultural workforce housing in the State; and
- (2) Require a report to the Legislature before the Regular Session of 2026.

Your Committee received testimony in support of this measure from the Agribusiness Development Corporation, Hawai'i Farm Bureau, and Kanalani Ohana Farm.

Your Committee received comments on this measure from the Department of Agriculture and Office of Planning and Sustainable Development.

Your Committee finds that the lack of agricultural workforce housing, especially in rural communities, is an overlooked and longstanding problem that inhibits the growth of Hawaii's agricultural industry. According to testimony received by your Committee, farmworkers cope with a range of problems, including high costs that typically do not fit their incomes; substandard, crowding housing conditions; and the need for short-term housing during the planting and harvest seasons.

The Agricultural Workforce Housing Working Group (Working Group) established in this measure can help identify the agricultural workforce housing needs in each county and the barriers to meeting the housing needs for farm and ranching businesses in the State. However, your Committee notes further recommendations made by the Department of Agriculture to:

- (1) Require the Working Group to gather data and information and survey farm operators to assess the real demand for farm workers;
- (2) Appropriate funds for the Department of Agriculture to undertake data and information gathering, survey farm operators, administer to the needs of the Working Group, and hire consultants with the expertise in addressing agricultural workforce housing needs; and
- (3) Appropriate funds for Royal Kunia Agricultural Park capital improvement project as it will enhance the duties of the Working Group.

Your Committee respectfully requests that these recommendations 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 Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2961 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2548 (Majority) Agriculture and Environment on S.B. No. 2366

The purpose and intent of this measure is to:

- (1) Classify neonicotinoid pesticides as restricted use pesticides; and
- (2) Establish a nonexhaustive list of chemicals that belong to the neonicotinoid class of chemicals.

Your Committee received testimony in support of this measure from the Hawai'i Alliance for Progressive Action, Green Party of Hawai'i, Chamber of Sustainable Commerce, Hawaii Food+ Policy, Bee Kind Apiary LLC, Hawaii Reef and Ocean Coalition, and thirty-five individuals.

Your Committee received testimony in opposition to this measure from the Hawaii Crop Improvement Association and Responsible Industry for a Sound Environment.

Your Committee received comments on this measure from the Department of Agriculture and National Pest Management Association.

Your Committee finds that neonicotinoids are the most widely used class of insecticides worldwide. Your Committee recognizes that neonicotinoid pesticides destroy pollinator populations, threatening food systems, ecosystems, and public health. According to testimony received by your Committee, there is currently no reporting of neonicotinoid pesticide use in the State because it is not classified as a restricted use pesticide under section 149A-2, Hawaii Revised Statutes. The classification of neonicotinoid pesticides as restricted use pesticides, as provided in this measure, will allow for better oversight of these neurotoxic substances to protect the people and environment 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. 2366 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. Noes, 2 (DeCoite, Richards). Excused, none.

SCRep. 2549 Agriculture and Environment on S.B. No. 2933

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 Hawai'i Climate Change Mitigation and Adaptation Commission, Recycle Hawaii, Greenpeace Hawaii, Hawaii Chapter of 350.org, Friends of Hanauma Bay, Women Organizing for Change in Agriculture and Natural Resource Management (WOCAN), Democratic Party of Hawai'i, Surfrider Foundation, Environmental Caucus of the Democratic Party of Hawai'i, Climate Protectors Hawai'i, Green Amendments for the Generation, Hawaii Interfaith Power and Light, Hawaii Youth Climate Coalition, Kauai Climate Action Coalition, Kauai Women's Caucus, Hawaii Chapter of Our Revolution, Kauai Chapter of Surfrider Foundation, Trinity United Methodist Church, Zero Waste Hawai'i Island, Zero Waste Kauai, Hawai'i Reef and Ocean Coalition, Kanalani Ohana Farm, and seventeen individuals.

Your Committee finds that climate change is an immediate threat that negatively affects the State, as evidenced by the climate-related drought conditions that contributed to the devastating wildfires across the State last year. Your Committee notes that the Hawaii State Constitution acknowledges the rights and duties of the State to protect natural resources but does not recognize the inalienable and self-executing right of all people to a clean and healthy environment. The constitutional amendment proposed in this measure will enhance the State's commitment to the health of its environments 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. 2933 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (DeCoite, Richards).

SCRep. 2550 (Joint) Health and Human Services and Labor and Technology on S.B. No. 1580

The purpose and intent of this measure is to:

- (1) Establish certain minimum staff-to-patient ratios for hospitals, care homes, and dialysis facilities;
- (2) Require hospitals to create hospital staffing committees and staffing plans;
- (3) Establish certain meal break, rest break, and overtime provisions applicable to health care personnel at hospitals, care homes, and dialysis facilities; and
- (4) Appropriate moneys to the Department of Labor and Industrial Relations for implementation and enforcement.

Your Committees received testimony in support of this measure from Hawai'i Workers Center; IATSE Local 665; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Stonewall Caucus of the Democratic Party of Hawai'i; Pride at Work-Hawai'i; UNITE HERE Local 5; Hawaii State AFL-CIO; Healthcare School of Hawaii; United Public Workers, AFSCME Local 646, AFL-CIO; Hawai'i Nurses' Association-OPEIU Local 50; and over one hundred ninety individuals.

Your Committees received testimony in opposition to this measure from the Department of Labor and Industrial Relations, Adventist Health Castle, Hawai'i Pacific Health, Hawaii Health Systems Corporation, Healthcare Association of Hawaii, Kapi'olani Medical Center for Women and Children, Wilcox Medical Center, Straub Medical Center, The Queen's Health System, American Organization of Nurse Leaders-Hawai'i Chapter, Ohana Pacific Health, and Liberty Dialysis-Hawaii.

Your Committees received comments on this measure from the Department of the Attorney General, Hawai'i State Center for Nursing, and U.S. Renal Care.

Your Committees find that the health care industry in Hawaii is facing a persistent staffing crisis, further intensified by the challenges posed by the coronavirus disease 2019 pandemic. The patient surge in the aftermath of the pandemic has pushed health care workers to their limits, and although it is a well-known fact that improved nurse-to-patient ratios greatly enhance patient safety and outcomes, nurses, nurse aides, and other health care workers who provide direct care to patients continue to face excessive workloads, including the assignment of too many patients and mandated overtime. This measure in its current form, would establish minimum staff-to-patient ratios and mandate reasonable working hours, and require hospitals to have hospital staffing committees, to improve the delivery of safe and high-quality patient care and the creation of a sustainable health care workforce.

Notwithstanding, your Committees acknowledge that developing a balanced and effective solution to this complex and multi-faceted issue requires cooperation and coordination from both the management and employee-side, including health care facilities, health care workers, unions representing health care workers, and other individuals with expertise and knowledge on the State's health care industry.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and inserting language that creates a Health Care Facilities Labor Standards Working Group to research, assess, and make recommendations on the best practices for labor standards that can be implemented at hospitals, care homes, and dialysis facilities in the State;
- (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 Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1580, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1580, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 5. Noes, none. Excused, none.

Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Lee).

SCRep. 2551 Health and Human Services on S.B. No. 2051

The purpose and intent of this measure is to:

- (1) Require the State Council on Developmental Disabilities to collect data and submit to the Legislature a report focused on the health disparities experienced by individuals with intellectual or developmental disabilities in the State before the convening of the Regular Session of 2026; and
- (2) Make an appropriation.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Alzheimer's Association – Hawaii, and three individuals.

Your Committee finds that adults with intellectual or developmental disabilities experience disproportionate health disparities compared to those without disabilities. Decades of research has established that people of minority groups living in the United States receive poor health care and have poor health outcomes, including populations with intellectual and developmental disabilities. Despite a critical need to document health disparities of people with intellectual or developmental disabilities, the State presently relies on data from 1994-1995 that does not reflect the State's population or current trends. Therefore, this measure provides critical data for the State Council on Developmental Disabilities to expand access to care and services for individuals with intellectual or developmental disabilities.

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

Your Committee notes that this measure contains an appropriation for an unspecified amount. Your Committee urges the stakeholders to determine an appropriate figure to be considered by your Committee on Ways and Means, should it choose to deliberate on 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. 2051, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2051, 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. 2552 Health and Human Services on S.B. No. 3003

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) Make an appropriation to the Department of Budget and Finance to fund the incentive payments; and
- (4) Make an appropriation 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 testimony in support of this measure from the Department of Budget and Finance, Executive Office on Aging, State Council on Developmental Disabilities, Disability and Communication Access Board, Hawaii Disability Rights Center, and one individual.

Your Committee finds that the ABLE Savings Program authorizes eligible account holders with disabilities to establish flexible savings accounts for college, health, and individual retirement. Presently, approximately twenty-three thousand individuals with developmental disabilities in the State are eligible to open an ABLE Savings Program account, with an additional twenty thousand individuals with other disabilities eligible for the ABLE Savings Program. As ABLE provides individuals with opportunities to engage in financial planning, this measure expands accessibility to the ABLE Savings Program to ensure more eligible individuals are prepared for their futures.

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

Your Committee notes that this measure contains an appropriation for an unspecified amount. Your Committee urges the stakeholders to determine an appropriate figure to be considered by your Committee on Ways and Means, should it choose to deliberate on 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. 3003, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3003, 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. 2553 Health and Human Services on S.B. No. 2471

The purpose and intent of this measure is to appropriate funds to support the Department of Health's Senior Fall Prevention Campaign.

Your Committee received testimony in support of this measure from the Executive Office on Aging, Disability and Communication Access Board, AARP Hawai'i, Catholic Charities Hawai'i, Hawai'i Family Caregiver Coalition, and one individual.

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

Your Committee finds that fall-related injuries disproportionately affect the elderly. Your Committee further finds that injuries from falling create an incalculable emotional and physical impact on seniors and their caregivers, and a significant financial toll on families and the health care system. Your Committee also finds, however, that falls are not an inevitable part of aging and are preventable. The Department of Health's Senior Fall Prevention Campaign has been successful in reducing falls and, when fully funded, has contributed to the State having the lowest fall and injury rate in the nation.

Your Committee has amended this measure by:

- (1) Inserting an unspecified appropriation amount; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that this measure, as amended, contains an appropriation for an unspecified amount. 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 \$100,000 for fiscal year 2024-2025.

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. 2471, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2471, 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. 2554 (Joint/Majority) Transportation and Culture and the Arts and Energy, Economic Development, and Tourism on S.B. No. 2764

The purpose and intent of this measure is to:

- (1) Transfer the State Foundation on Culture and the Arts and the King Kamehameha Celebration Commission to the Department of Business, Economic Development, and Tourism;
- (2) Repeal the State Foundation on Culture and the Arts Commission; and
- (3) Require the Governor to select the Executive Director of the State Foundation on Culture and the Arts, with the advice and consent of the Senate.

Your Committees received testimony in support of this measure from two individuals.

Your Committees received testimony in opposition to this measure from the State Foundation on Culture and the Arts; King Kamehameha Celebration Commission; Office of Economic Development; Donkey Mill Art Center; Arts Kauai dba Kauai Songwriters; East Hawaii Cultural Center; Garden Island Arts Council; Halau o Kahiwhiwa; Hawaii Arts Alliance; Hawai'i Council for the Humanities; Hawai'i Forestry Industry Association, Hawai'i Health and Harm Reduction Center; Hawai'i Contemporary; Hula Preservation Society; HULI PAC; International Association of Art; Kahilu Theatre Foundation; Lana'i Arts and Culture Center; Maui Arts and Cultural Center; Molokai Arts Center, Inc.; SAG-AFTRA Hawaii Local; Volcano Art Center; West Hawaii Dance Theatre; Downtown Arts Center, Honolulu; Kahilu Theatre Foundation; Arabella Ark, Inc.; Collective HA LLC; Exhibition Grid; House of Bloom Artist Collective; Manini Gallery; Sounding Joy Music Therapy, Inc.; and over one hundred eighty-five individuals.

Your Committees received comments on this measure from the Department of Business, Economic Development, and Tourism; Hawaii Council for the Humanities; Japanese Cultural Center of Hawai'i; and three individual.

Your Committees find that the Hawaii State Foundation on Culture and the Arts is currently housed within the Department of Accounting and General Services. Your Committees further find that the transition of the State Foundation on Culture and the Arts is intended to increase efficiencies and effectiveness for both the Department of Business, Economic Development, and Tourism; Creative Industries; and the State Foundation on Culture and the Arts. The measure will increase synergistic opportunities for collaboration, especially in the realm of increasing the positive economic impacts of growing the creative industries and the arts.

Your Committees note the concerns in numerous testimonies that repeal of the State Foundation on Culture and the Arts Commission could negatively impact funding for the Foundation and therefore finds that amendments to this measure are necessary. Accordingly, your Committees have amended this measure by:

- (1) Deleting language that would have repealed the State Foundation on Culture and the Arts Commission;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and

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

As affirmed by the records of votes of the members of your Committees on Transportation and 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. 2764, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2764, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 5. Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 3. Noes, 1 (Fevella). Excused, 1 (Kim).

SCRep. 2555 (Joint) Transportation and Culture and the Arts and Energy, Economic Development, and Tourism on S.B. No. 2777

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) Make an appropriation.

Your Committees received testimony in support of this measure from the Department of Transportation and one individual.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that other jurisdictions across the country have successfully and safely deployed solar power by installing solar panels in shoulders and medians. Your Committees further find that there is an opportunity to generate renewable energy using lands in the state highways rights-of-way by replicating similar measures in the State. This measure will contribute to achieving the State's clean energy goals while achieving energy security and resilience in rural communities.

Your Committees have amended this measure by:

- (1) Inserting language to expand the purview of the Highways Clean Energy Technology Pilot Program to include all property owned by the Department of Transportation on the island of Molokai; 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 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. 2777, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2777, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 5. Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 3; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Fukunaga, Kim).

SCRep. 2556 (Majority) Energy, Economic Development, and Tourism on S.B. No. 3197

The purpose and intent of this measure is to exempt billboards and outdoor advertising devices displayed with authorization of the Stadium Authority within the Stadium Development District.

Your Committee received testimony in support of this measure from the Stadium Authority, Hawai'i Community Development Authority, Hawaii Masons' and Plasterers' Unions Stabilization Fund, and Chamber of Commerce Hawaii.

Your Committee received testimony in opposition to this measure from the Outdoor Circle, the North Shore Community Land Trust, Hawaii's Thousand Friends, Haleiwa Waialua Historical Society, Manoa Outdoor Circle, and eighty-four individuals.

Your Committee finds that well-designed advertising in both the Stadium and Convention Center can offer many benefits, including generating revenue to contribute to higher quality entertainment facilities; publicizing sports events, music events, and businesses to gather the community; and positively contributing to the branding, image, and overall entertainment experience in both areas.

Prior to the decision making hearing on this measure, your Committee circulated a proposed S.D.1 among the members that included consensus language from stakeholders that addresses a number of the issues raised at the public hearing held on this measure, which would add more restrictions to outdoor advertising devices at the Convention Center and stadium and also authorize the sale or lease of naming rights for the stadium. After further discussion, your Committee finds additional amendments are necessary to incorporate concerns regarding the visibility of displays within the Stadium Development District.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language to authorize the Stadium Authority to sell or lease the naming rights of the stadium facility or any portion of the stadium facility or building therein to any public or private entity;
- (2) Inserting language to authorize the Stadium Authority to sell or lease the naming rights of the convention center facility or any portion of the convention center facility to any public or private entity and requiring that any revenues derived therefrom be deposited into the Convention Center Enterprise Special Fund;
- (3) Clarifying that no person shall display any outdoor advertising device except for:

- (A) Any outdoor advertising device displayed with the authorization of the Stadium Authority, on any scoreboard of the stadium managed by the Authority;
 - (B) Any billboard or outdoor advertising device displayed with the authorization of the Stadium Authority, within the stadium facility; provided that the outdoor device displayed shall face the interior of the stadium facility, be designed for pedestrians within the stadium facility, and not be used solely for the purposes of commercial advertising;
 - (C) Any outdoor advertising device for naming the stadium facility, which may include the name and brand of a public or private entity, displayed with the authorization of the Stadium Authority, or in the stadium facility; provided that such a device shall not contain moving images;
 - (D) Any outdoor advertising device displayed with the authorization of the Hawaii Tourism Authority in or on the convention center facility; provided that, for displays that face the exterior of the convention center facility, the device shall consist only of the name of the sponsoring entity and the words "Hawaii Convention Center", "Hawai'i Convention Center", or "Convention Center", and may include a company logo, and shall be static and contain no video or moving images; and
 - (E) Any outdoor advertising device for naming the convention center facility, which may include the name and brand of a public or private entity, displayed with the authorization of the Hawaii Tourism Authority, in or on the convention center facility; provided that the any such outdoor advertising device shall not contain moving images;
- (4) Clarifying that the counties shall not be entitled to adopt ordinances restricting any of the foregoing;
 - (5) Inserting an effective date of January 1, 2060, to encourage further discussion; and
 - (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee appreciates the concerns of those who submitted testimony in opposition to this measure, wanting to ensure that the State remains beautiful and free of billboards that are prevalent on the mainland. In this instance, your Committee believes that this measure, as amended, strikes a balance to protect the State's vistas and views while also supporting economic opportunities for our state-run entertainment and convention facilities, and further ensuring the advertising is done in a respectful and tasteful way.

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. 3197, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3197, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Fukunaga). Excused, none.

SCRep. 2557 Energy, Economic Development, and Tourism on S.B. No. 3382

The purpose and intent of this measure is to establish an income tax credit to encourage investment in businesses affected by the August 2023 Maui wildfires and redevelopment resiliency projects occurring within the Lahaina district.

Your Committee received testimony in support of this measure from one member of the Maui County Council.

Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that more than eight hundred businesses have been destroyed or damaged as a result of the August 2023 Maui wildfires, according to estimates from the Department of Business, Economic Development, and Tourism. Your Committee further finds that an income tax credit will encourage investments in affected businesses and redevelopment resiliency projects by reducing the economic risks associated with these investments.

Your Committee has amended this measure by:

- (1) Delaying the applicability of the income tax credit until tax years beginning after December 31, 2024;
- (2) Inserting an effective date of January 1, 2060, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee has heard the testimony of the Department of Taxation expressing concerns that this measure should be amended to provide definitions and criteria to outline the eligibility requirements for the tax credit. Your Committee finds that these issues merit further consideration and respectfully requests further examination by subsequent committees who may choose to deliberate on this measure.

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. 3382, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3382, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2558 Commerce and Consumer Protection on S.B. No. 524

The purpose and intent of this measure is to amend the law relating to business regulation.

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 Insurance Commissioner to require pre-approval for certain salary increases granted to any person receiving a salary from an insurer.

Your Committee has amended this measure by adopting the proposed S.D. 1 and further amending it by inserting legislative findings.

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. 524, as amended herein, and recommends that it be recommitted to your Committee on Commerce and Consumer Protection, in the form attached hereto as S.B. No. 524, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2559 Commerce and Consumer Protection on S.B. No. 3170

The purpose and intent of this measure is to repeal chapter 503B, Hawaii Revised Statutes (HRS), governing Time Share Commissioners of Deeds.

Your Committee received testimony in support of this measure from the Office of the Lieutenant Governor and ARDA Hawai'i.

Your Committee finds that Act 277, Session Laws of Hawaii (2013), created the Time Share Commissioners of Deeds (codified as chapter 503B, HRS), to increase efficiency and convenience for foreign buyers that purchase Hawaii time share properties and boost the State's tourism industry. The Time Share Commissioners of Deeds were to be appointed by the Lieutenant Governor to administer oaths and take acknowledgements and proofs of deeds and other instruments used in connection with the recordation of time share interests in Hawaii. However, your Committee finds that Act 54, Session Laws of Hawaii 2020, updated certain laws relating to notaries public, and added a new section for notarial acts performed for remotely located individuals, such as foreign buyers of Hawaii time share properties making Time Share Commissioners of Deeds unnecessary. Therefore, this measure repeals the state law governing Time Share Commissioners of Deeds, to eliminate the statutory redundancy.

Your Committee has amended this measure by inserting an effective date of July 1, 2040, 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. 3170, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3170, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2560 Commerce and Consumer Protection on S.B. No. 2103

The purpose and intent of this measure is to deter coffee counterfeiting by:

- (1) Expanding the application of the criminal offense of false labeling of Hawaii-grown coffee to include roasted coffee;
- (2) Enhancing the penalties for the criminal offense of false labeling of Hawaii-grown coffee through the imposition of a mandatory fine for each offense; and
- (3) Establishing and appropriating funds for an enforcement position within the Department of Agriculture.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Coffee Association, Hawai'i Farm Bureau, and one individual.

Your Committee received comments on this measure from the Hawaii Coffee Company.

Your Committee finds that Hawaii-grown coffee, the State's second most lucrative crop, is enjoyed around the world and is recognized for its outstanding quality. However, your Committee finds that counterfeit coffee, or the practice of falsely labeling discount coffee as being Hawaii-grown, has undermined Hawaii's hardworking farmers by creating an artificial increase in supply, thereby driving down the price and value of authentic Hawaii-grown coffee. Your Committee further finds that this practice has been almost exclusively exploited by sellers of roasted coffee products. This measure will make the harmful practice of counterfeiting roasted coffee a criminal offense, thereby protecting local coffee farmers and safeguarding the integrity and reputation of the State's premium coffee.

Your Committee has amended this measure by:

- (1) Inserting an unspecified appropriation amount; and
- (2) Inserting an effective date of July 1, 2040, to encourage further discussion.

Your Committee notes that this measure, as amended, contains an unspecified appropriation amount. Should your Committees on Judiciary and Ways and Means choose to deliberate on this measure, your Committee respectfully requests that the committees consider inserting an appropriation amount of \$88,935 for fiscal year 2024-2025.

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. 2103, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2103, 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. 2561 Commerce and Consumer Protection on S.B. No. 3067

The purpose and intent of this measure is to move the Hurricane Reserve Trust Fund into the state treasury and make other housekeeping amendments relating to the Fund.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Department of Defense.

Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the state treasury maintains an investment pool consisting of participating state accounts. Your Committee further finds that the funds within the state treasury are prudently managed to achieve the investment objectives of safety, liquidity, and yield, in priority order, and that the pooling of funds enables the achievement of economies of scale, while simultaneously enhancing the State's liquidity position. Presently, the Hurricane Reserve Trust Fund is established outside the state treasury under the direction of the Hawaii Hurricane Relief Fund Board, which has invested the fund in a bank trust division for the past several years and operation has been dormant. Therefore, this measure places the Hurricane Reserve Trust Fund within the state treasury, to best serve the interests of the State and to better align its investment objectives of safety, liquidity, and yield.

Your Committee has amended this measure by:

- (1) Restoring language in existing law that requires remittance of a certain portion of general excise tax and public employer contributions; and
- (2) Repealing language in existing law that grants certain authority and discretion to the Hawaii Hurricane Relief Fund Board over the moneys deposited in the Hurricane Reserve Trust Fund.

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. 3067, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3067, 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. 2562 (Joint/Majority) Health and Human Services and Commerce and Consumer Protection on S.B. No. 3132

The purpose and intent of this measure is to:

- (1) Repeal the sunset date of the authorization for primary caregivers to cultivate medical cannabis for qualifying patients; and
- (2) Clarify that primary caregivers may continue to cultivate medical cannabis for qualifying patients subject to certain restrictions.

Your Committees received testimony in support of this measure from the Department of Health and three individuals.

Your Committees received testimony in opposition to this measure from 434 Tattoo and forty-six individuals.

Your Committees received comments on this measure from Akamai Cannabis Consulting.

Your Committees find that existing state law recognizes the beneficial use of cannabis in treating certain debilitating medical conditions, their symptoms, and certain side effects of treatment of these conditions, including severe pain, nausea, muscle spasms, and seizures. Act 241, Session Laws of 2015 (Act 241), provided patient access to medical cannabis beyond the access that existed before the creation of a dispensary system authorized by Act 241. As some patients may not be able to grow their own supply of medical cannabis due to limitations such as disability or lack of space, expanding patient access to medical cannabis continues to be the Legislature's intent. Therefore, this measure will codify legislative intent while maintaining uninterrupted access to medical cannabis for qualifying patients.

Your Committees note the concerns raised in testimony regarding the cap on qualifying patients for medical cannabis cultivated on land zoned for agricultural use. As it is the Legislature's intent to expand access to medical cannabis, rather than replace existing legal access routes, further clarification is needed to provide qualifying patients with a critical treatment option.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language to clarify that cannabis cultivation shall be permitted for patient grow sites with more than five patients on land zoned for agricultural use;
- (2) Requiring the Department of Health to adopt administrative rules to conduct routine voluntary grow site inspections without law enforcement; 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 Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3132, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3132, 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, 1 (Awa). Excused, 1 (Shimabukuro).

Commerce and Consumer Protection: Ayes, 2. Noes, 1 (Awa). Excused, 2 (McKelvey, Richards).

SCRep. 2563 Government Operations on S.B. No. 2222

The purpose and intent of this measure is to appropriate moneys as a grant-in-aid to the Emergency Services Department of the City and County of Honolulu.

Your Committee did not receive any testimony on this measure.

Your Committee finds that the Crisis Outreach Response and Engagement Program (C.O.R.E.) provides services to Oahu's unsheltered population and response to non-violent homeless-related emergency calls using refurbished city ambulances. The C.O.R.E. response team comprises emergency medical technicians and community health workers trained in relationship building, extending compassion, problem-solving, and crisis prevention intervention. As the C.O.R.E. program provides a valuable service to the State's homeless community, adequate funding is needed to continue operations. This measure provides for the continuity of services under the C.O.R.E. program to address non-violent homeless-related emergency calls.

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. 2222 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 (Wakai, Awa).

SCRep. 2564 (Joint) Government Operations and Energy, Economic Development, and Tourism on S.B. No. 2770

The purpose and intent of this measure is to authorize the counties to establish, by ordinance, an opt-in program that allows an annual payment in lieu of real property taxes on the land or improvements thereon that are actively used to produce or store renewable energy that is sold to an electric utility.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office; City and County of Honolulu's Department of Budget and Fiscal Services; Ulupono Initiative; Longroad Energy; Hawaiian Electric; Clearway Energy Group.; and Tigershark, LLC.

Your Committees find that Act 97, Session Laws of Hawaii 2015, requires electric utilities in the State to achieve a one hundred percent renewable portfolio standard by 2045. To achieve this ambitious mandate, your Committees find that authorizing the counties the flexibility to accept payments in lieu of real property tax for renewable generation improvements upon real property may incentivize more property owners to utilize clean energy resources while keeping revenue generation for counties predictable. This measure aligns with the State's long-term clean energy goals and ensures a cleaner future for Hawaii's people.

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 are in accord with the intent and purpose of S.B. No. 2770 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Awa).

Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Kim).

SCRep. 2565 Government Operations on S.B. No. 3184

The purpose and intent of this measure is to:

- (1) Authorize emergency procurements in situations such as equipment failure and repairs to public property that are necessary to protect against further loss or damage to public property, or to prevent or minimize serious disruptions in government services; and
- (2) Remove the need for approval of the Chief Procurement Officer for these emergency procurements, provided that the head of the purchasing agency making the procurement accounts for the money spent submits an accounting report to the Legislature within sixty days after the end of the fiscal year in which the emergency procurement was made.

Your Committee received testimony in support of this measure from the Department of Law Enforcement, Hawaii State Public Library System, and one individual.

Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that existing public procurement code does not include situations of an unusual or compelling urgency that, without the continued government service, would be a threat to life, public health, welfare, or safety. This measure allows emergency procurements in those circumstances thereby allowing greater flexibility and efficiency for the appropriate department or agency to directly address the need, determine and perform appropriate action, and close out financial obligations to restore the conditions of the property or operation against further loss, damage, or serious disruptions in essential government services, while retaining government accountability and transparency.

However, your Committee recognizes the concerns raised by the State Procurement Office and notes that other agencies have attempted to justify the use of after-the-fact emergency procurement for systemic and maintenance-related projects that could have been avoided with regular monitoring or prevention programs. Accordingly, there is a need to amend this measure to address this concern.

Your Committee has amended this measure by:

- (1) Narrowing the scope of this measure to a three-year pilot program that authorizes the Department of Law Enforcement to contract for goods, services, and construction through emergency procurement for the district described in section 4-1(2)(D), Hawaii Revised Statutes, under certain circumstances;
- (2) Requiring the Director of Law Enforcement to submit a report to the Legislature on the pilot project; and
- (3) 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. 3184, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3184, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Gabbard, Wakai).

SCRep. 2566 Government Operations on S.B. No. 2566

The purpose and intent of this measure is to:

- (1) Extend the reporting date for the working group established pursuant to Act 200, Session Laws of Hawaii 2022, to examine and address housing subdivision infrastructure repair and maintenance for planned housing subdivisions that do not have compulsory homeowner associations in certain counties from before the Regular Session of 2024 to before the Regular Session of 2025; and
- (2) Extend the sunset date of the working group to June 30, 2025.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 1, which inserts language to:

- (1) Require lot owners to pay for the repair and maintenance of subdivision roads where the applicable deed does not specify that requirement;
- (2) Authorize counties to assess and collect fees for repair and maintenance of subdivision roads if no court-appointed or deed-designated entity is appointed;
- (3) Require counties to provide training to associations on their responsibilities, services for certain subdivision assessments, and arbitration and mediation services to resolve disputes between a lot owner and the entity responsible for assessment; and
- (4) Restrict application of the foregoing provisions to counties with a population greater than two hundred thousand, but not more than five hundred thousand.

Your Committee received testimony in support of this measure on the proposed S.D. 1 from one member of the Maui County Council and five individuals.

Your Committee finds that the maintenance of the State's infrastructure is incredibly important. Your Committee also finds that maintenance of infrastructure in certain counties has been neglected in some areas and is currently being wholly supported by volunteer and community driven efforts. This measure will allow the working group additional time to examine this issue, while allowing for maintenance and repair of subdivision roadways that may otherwise fall into despair.

Your Committee has amended this measure by:

- (1) Adopting the proposed SD1; and
- (2) Making 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. 2566, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2566, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Wakai, Awa).

SCRep. 2567 (Joint) Commerce and Consumer Protection and Energy, Economic Development, and Tourism and Public Safety and Intergovernmental and Military Affairs on S.B. No. 2919

The purpose and intent of this measure is to:

- (1) Establish and appropriate moneys for a regulatory scheme for short-term rentals of dwelling units under the Business Registration Division of the Department of Commerce and Consumer Affairs;
- (2) Expand the zoning powers of counties; and
- (3) Expand the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations.

Your Committees received testimony in support of this measure from the Hawai'i Hotel Alliance, The American Hotel and Lodging Association, Hawai'i State Association of Counties, Sierra Club of Hawai'i, Lahaina Strong, Housing Hawai'i's Future, UNITE HERE Local 5, International Longshore and Warehouse Union Local 142, one member of the Honolulu City Council, two members of the Maui County Council, and more than two hundred-ninety individuals.

Your Committees received testimony in opposition to this measure from the Hawai'i Association of REALTORS, Airbnb, Rental By Owner Awareness Association, Expedia Group, and more than one hundred twenty individuals.

Your Committees received comments on this measure from the Department of Taxation, Department of Commerce and Consumer Affairs, Land Use Commission, Maui Paradise Properties, and six individuals.

Your Committees find that short-term rentals can be disruptive, not only to Hawaii's traditional and economically essential lodging industries, but to the character and fabric of local residential neighborhoods. Further, while short-term rentals may not be legally inconsistent with the land uses that they are intended for, they must be regulated properly so that users of short-term rentals and communities alike can mutually benefit from these transactions. Therefore, this measure establishes a comprehensive regulatory scheme for short-term rentals of dwelling units and expands the zoning powers of counties to phase out future nonconforming uses over time, in order to promote the orderly development of each county and ensure the greatest benefit for the State as a whole.

Notwithstanding, your Committees have heard the various concerns raised in testimony, and find that delegating the authority to the counties via home rule would be more appropriate than establishing a new state regulatory scheme. Accordingly, this measure needs to be amended to address this issue.

Therefore, your Committees have amended this measure by:

- (1) Deleting sections 1, 4, and 5 of this measure, which would have established and appropriated moneys for a regulatory scheme for short-term rentals of dwelling units under the Business Registration Division of the Department of Commerce and Consumer Affairs;
- (2) Inserting legislative findings;
- (3) Deleting language that would have granted the counties authority to adopt ordinances relating to the practices of hosting platforms that provide booking services for short-term rentals;
- (4) Inserting language allowing transient accommodations uses to be amortized or phased out in residential or agricultural zoned areas and state that residential uses do not include transient accommodations uses;
- (5) Inserting a definition for "transient accommodations" under section 46-4(a), Hawaii Revised Statutes;
- (6) Deleting language that would have allowed a county to adopt zoning ordinances and regulations that provide for the amortization, or phasing out over a reasonable period of time, of land uses or structures that were established after the effective date of the first comprehensive zoning ordinance adopted by the county;
- (7) Inserting an effective date of July 1, 2040, 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 Commerce and Consumer Protection, 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 S.B. No. 2919, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2919, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5; Ayes with Reservations (Richards). Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Rhoads).

SCRep. 2568 Agriculture and Environment on S.B. No. 3365

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture to certify treatments performed in the State on soil, dirt, wood chips, compost, and filter socks;
- (2) Allow the Department of Agriculture to certify and permit entities to treat plant care components;
- (3) Authorize the Department of Agriculture to establish fees for treating plant care components;
- (4) Prohibit the distribution of plant care components unless the components have been treated immediately after entering the State, by the State or a certified entity; and
- (5) Prohibit the transportation of plant care components without prior certification from the Department of Agriculture that the components have been treated.

Your Committee received testimony in support of this measure from the Department of Agriculture.

Your Committee finds that the entry and establishment of a new, devastating pest or disease in the State is an ever-present reality, given the increase and expansion of global trade and travel. Your Committee further finds that properly treating plant care components, such as compost and wood chips, before it is distributed or transported within and from the State would help prevent invasive species from entering and spreading throughout the State. This measure will provide the Department of Agriculture with another way to further protect the fragile environment of the State's island communities against invasive species.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Agriculture may certify and permits plant care component treatments prior to shipment;

- (2) Deleting language that would have allowed the Department to establish fees for plant care component treatments;
- (3) Clarifying the authority for the Department's fee schedule for plant care component treatments;
- (4) Clarifying that no person shall distribute within the State any plant care component that originated from outside the State, unless the component has been treated prior to entry, as certified by the Department of Agriculture;
- (5) Adding language that requires any plant care component that originated from outside the State and has not been treated prior to entry be placed in quarantine until treated and released for entry into the State;
- (6) Adding language that requires a treated plant care component be stored in a manner to prohibit infestation post-treatment;
- (7) Deleting soil and dirt from the definition of "plant care component";
- (8) Adding a definition of "filter sock"; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3365, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3365, 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. 2569 Agriculture and Environment on S.B. No. 2349

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 amounts of fines for offenses against leaf blower restrictions and provide for the forfeiture of gasoline-powered leaf blowers on 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 four individuals.

Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii and one individual.

Your Committee received comments on this measure from the Department of the Attorney General, Department of Education, and Department of Health.

Your Committee finds that the rapid proliferation of noise pollution, especially in urban areas, can be detrimental to the overall health of Hawaii's people. Excessively loud and unabated noises can result in physiological, psychological, and economic damage. Your Committee believes that residents are entitled to a healthy and peaceful environment free from noise pollution that may be hazardous to their health or welfare. This measure addresses noise pollution in Hawaii's communities by discouraging and banning the use of gasoline-powered leaf blowers in 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 Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2349, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2349, 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; Ayes with Reservations (Richards). Noes, none. Excused, 2 (DeCoite, Awa).

SCRep. 2570 Agriculture and Environment on S.B. No. 2814

The purpose and intent of this measure is to:

- (1) Direct the Department of Agriculture, in collaboration with the Agribusiness Development Corporation and the counties, to conduct a water infrastructure study for the State; and
- (2) Appropriate \$200,000 to the Department of Agriculture for a statewide water infrastructure study.

Your Committee received testimony in support of this measure from the Agribusiness Development Corporation, Hawai'i Farm Bureau, and Local Food Coalition.

Your Committee received comments on this measure from the Department of Agriculture, Department of Land and Natural Resources, and one individual.

Your Committee finds that the regulation and monitoring of various water infrastructure in the State is overseen by several agencies with differing and complementary priorities and objectives. Your Committee recognizes that the State lacks a complete inventory and comprehensive data system to track the condition and maintenance needs of its water infrastructure. The study required by this measure includes an assessment of current condition of the State's water infrastructure, which will help the State better manage its water resources and provide water services.

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. 2814 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, Awa).

SCRep. 2571 (Joint) Agriculture and Environment and Water and Land on S.B. No. 2803

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture to:
 - (A) Be responsible for the routine maintenance and repair of the Kohala ditch;
 - (B) In collaboration with relevant agencies, develop a comprehensive plan for the refurbishment of the Kohala Ditch; and
 - (C) Submit a report to the Legislature before the convening of the Regular Session of 2025; and
- (2) Appropriate an unspecified amount of funds to inspect, repair, and maintain the Kohala ditch.

Your Committees received testimony in support of this measure from the Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; and Local Food Coalition.

Your Committees received comments on this measure from the Department of Agriculture.

Your Committees find that reliable irrigation systems are the lifelines of Hawaii's agricultural community. To ensure that the State's agricultural crops receive a steady and dependable supply of water, irrigation systems need to be repaired, properly maintained, and improved to meet agricultural water requirements and to address extended water droughts. However, your Committees recognize the concerns raised by the Department of Agriculture regarding the potential liabilities associated with the repair, maintenance, and refurbishment of the Kohala Ditch System.

Accordingly, your Committees have amended this measure by deleting its contents and replacing it with language that:

- (1) Requires the Department of Agriculture to:
 - (A) Conduct a feasibility study on the Kohala Ditch System that includes due diligence, costs to repair and maintain, potential use for agritourism, and costs to more effectively transfer the water to increase agriculture production; and
 - (B) Submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2026; and
- (2) Appropriates \$1,500,000 for the Department of Agriculture to conduct the feasibility study.

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. 2803, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2803, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Richards).
Water and Land: Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 2572 Agriculture and Environment on S.B. No. 2360

The purpose and intent of this measure is to:

- (1) Increase the maximum grant amount of the Cesspool Compliance Pilot Grant Project established pursuant to Act 153, Session Laws of Hawaii, from \$20,000 to \$30,000;
- (2) Require the Department of Health to submit a report to the Legislature on the Cesspool Compliance Pilot Grant Project before the Regular Session of 2025;
- (3) Appropriate \$151,0000 for the establishment of:
 - (A) One full-time equivalent (1.0 FTE) program specialist V position within the Cesspool Compliance Pilot Grant Project; and
 - (B) One full-time equivalent (1.0 FTE) planner IV position within the Cesspool Compliance Pilot Grant Project; and
- (4) Appropriate \$5,000,000 for the Cesspool Compliance Pilot Grant Project.

Your Committee received testimony in support of this measure from the Department of Health, University of Hawai'i Sea Grant College Program, UH Water Resources Research Center, and Hulu Mamo Hawaiian Civic Club.

Your Committee finds that to reduce water pollution, unless exempted by the Department of Health, all cesspools in the State are required to be updated or converted to another method of waste disposal or connected to a sewerage system by January 1, 2050. Your Committee recognizes that given the high cost for property owners to comply with this legislative mandate, the Cesspool Conversion Working Group was convened pursuant to Act 132, Session Laws of Hawaii 2018, to facilitate the upgrade or conversion of cesspools on properties within priority upgrade areas to more environmentally-responsible waste treatment systems or the connection of these cesspools to sewer systems before 2050.

Your Committee recognizes the concerns raised by the Department of Health that increasing the grant amount may cause complications or issues with homeowners who received or will receive \$20,000 grants. Accordingly, this measure needs to be amended to address this matter.

Your Committee has amended this measure by:

- (1) Deleting language that would have increased the maximum grant amount of the Cesspool Compliance Pilot Grant Project established pursuant to Act 153, Session Laws of Hawaii, from \$20,000 to \$30,000;
- (2) Amending reference to the “University of Hawaii’s 2022 Hawaii cesspool hazard assessment and prioritization tool” to the “University of Hawaii’s 2022 Hawaii cesspool prioritization tool”;
- (3) Amending language to appropriate \$249,0000 for the establishment of:
 - (A) One full-time equivalent (1.0 FTE) engineer V position within the Cesspool Compliance Pilot Grant Project;
 - (B) One full-time equivalent (1.0 FTE) engineer IV position within the Cesspool Compliance Pilot Grant Project; and
 - (C) One full-time equivalent (1.0 FTE) accountant IV position within the Cesspool Compliance Pilot Grant Project;
- (4) Amending language to appropriate \$5,249,000 for the Cesspool Compliance Pilot Grant Project; 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. 2360, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2360, 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. 2573 (Joint) Agriculture and Environment and Higher Education on S.B. No. 2362

The purpose and intent of this measure is to appropriate funds 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 producers.

Your Committees received testimony in support of this measure from the University of Hawai‘i System, Hawai‘i Farm Bureau, Maui County Farm Bureau, East Oahu County Farm Bureau, Land Use Research Foundation of Hawaii, Tropical Flowers Express, and five individuals.

Your Committees find that ornamental ginger is a valued plant that can be used as a shrub or cut flower. However, this plant species is susceptible to foreign pathogens that can decimate entire plants. 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.

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. 2362 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, none. Excused, 2 (DeCoite, Awa).
Higher Education: Ayes, 4. Noes, none. Excused, 1 (Hashimoto).

SCRep. 2574 (Joint) Agriculture and Environment and Higher Education on S.B. No. 2513

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:
 - (A) Examine and demonstrate new wastewater and cesspool technology systems;
 - (B) 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
 - (C) Establish a similar ranking system for prioritization levels for the islands of Molokai, Lanai, and Niihau;
- (2) Require the University of Hawaii Water Resources Research Center to submit annual reports to the Legislature;
- (3) Appropriate \$3,025,468 to the University of Hawaii Water Resources Research Center to implement the new waste management solution and cesspool system demonstration pilot program; and
- (4) Appropriate to the Department of Health out of the Water Pollution Control Revolving Fund:
 - (A) \$56,304 to fund one full-time equivalent (1.0 FTE) engineer position; and
 - (B) \$52,044 to establish one full-time equivalent (1.0 FTE) planner position, within the Department of Health’s Wastewater Branch.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands, Hawaii Climate Change Mitigation and Adaptation Commission, University of Hawaii Water Resources Research Center, UH Sea Grant College Program, Wastewater Alternatives and Innovations LLC, Hawai'i Reef and Ocean Coalition, and one individual.

Your Committees received comments on this measure from the Department of Health.

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 ensures progress with the State's goal to upgrade or convert cesspools while promoting clean environment standards.

Your Committees have amended this measure by:

- (1) Requiring the University of Hawaii Water Resources Research Center to consult with all appropriate county agencies in fulfilling its duties as part of the three-year new waste management solution and cesspool system demonstration pilot program;
- (2) Deleting language that would have appropriated funds to the Department of Health out of the Water Pollution Control Revolving Fund for one full-time equivalent (1.0 FTE) engineer position and one full-time equivalent (1.0 FTE) planner position within the Department of Health's Wastewater Branch and replacing it with language that makes a general fund appropriation to the Department of Health for:
 - (A) \$89,500 to fund one full-time equivalent (1.0 FTE) engineer V position within the Department of Health's Wastewater Branch; and
 - (B) \$82,700 to establish one full-time equivalent (1.0 FTE) engineer IV position within the Department of Health's Wastewater Branch;
- (3) Inserting language clarifying that the appropriated funds are to be expended to support the approval of individual wastewater systems applications and the new waste management solution and cesspool system demonstration pilot program established pursuant to this measure; 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. 2513, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2513, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Awa).

Higher Education: Ayes, 4. Noes, none. Excused, 1 (Hashimoto).

SCRep. 2575 (Joint) Agriculture and Environment and Water and Land on S.B. No. 2373

The purpose and intent of this measure is to authorize the Director of Finance to issue general obligation bonds to finance capital improvements to various irrigation systems in the State.

Your Committees received testimony in support of this measure from the Department of Agriculture; Ulupono Initiative; Land Use Research Foundation of Hawaii; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; and Local Food Coalition.

Your Committees find that reliable irrigation systems are the lifelines of Hawaii's agricultural community. To ensure that the State's agricultural crops receive a steady and dependable supply of water, irrigation systems need to be repaired, properly maintained, and improved to meet agricultural water requirements and to address extended water droughts. According to testimony received by your Committees, this measure will ensure a reliable source of water for state farmers and ranchers to grow crops and raise livestock efficiently, thereby helping the State reach its goals to increase local food production and reduce reliance on imports.

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. 2373 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Richards).

Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 2576 Health and Human Services on S.B. No. 3290

The purpose and intent of this measure is to:

- (1) Require the Disability and Communication Access Board and Department of Human Services Division of Vocational Rehabilitation to convene a working group to study the state of American Sign Language in Hawaii; and
- (2) Require the Department of Health to assist the working group in the preparation of a report to submit to the Legislature.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, Hawaii Disability Rights Center, and three individuals.

Your Committee received comments on this measure from the Department of Human Services and Hawai'i Civil Rights Commission.

Your Committee finds that the State is experiencing a critical shortage of American Sign Language interpreters. Despite the importance of American Sign Language in everyday life and emergency situations, there are few interpreters available to support the deaf and hard-of-hearing community, some of whom have to wait three to four weeks to schedule medical procedures and other important appointments. Therefore, this measure will provide critical data to facilitate additional resources for American Sign Language interpretation services statewide.

Your Committee has amended this measure by:

- (1) Removing the Department of Human Services Division of Vocational Rehabilitation as a co-convenor of the working group;
- (2) Removing the representative from the Department of Human Services Division of Vocational Rehabilitation as a co-chairperson of the working group;
- (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. 3290, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3290, 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. 2577 (Joint) Energy, Economic Development, and Tourism and Water and Land on S.B. No. 2659

The purpose and intent of this measure is to:

- (1) Incorporate a regenerative framework into the Hawaii 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 2025.

Your Committees received testimony in support of this measure from the Hawai'i Tourism Authority, Office of Planning and Sustainable Development, and one individual.

Your Committees find that tourism has major environmental impacts, such as biodiversity loss, landscape impact, and waste and water scarcity. Regenerative tourism represents a sustainable way of traveling and discovering new places that also supports residents' preferences for managing tourism development. Your Committees additionally find that a regenerative tourism model will provide activities for visitors that allow travel destinations to heal, while counterbalancing the social, economic, and environmental impacts of tourism.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency, including the correction to the proper name of the Office of Planning and Sustainable Development in the measure's report title.

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. 2659, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2659, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.
Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 2578 (Joint) Energy, Economic Development, and Tourism and Labor and Technology on S.B. No. 3103

The purpose and intent of this measure is to require attestation or declaration regarding project labor standards for large-scale renewable energy projects, including state-approved apprenticeship programs and prevailing wage requirements.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office; Department of Labor and Industrial Relations; Hawaii Regional Council of Carpenters; Blue Planet Foundation; Moss & Associates, LLC; Operating Engineers Local Union No. 3; and Pacific Resource Partnership.

Your Committees received testimony in opposition to this measure from Tesla.

Your Committees received comments on this measure from Hawaiian Electric.

Your Committees find that to replace the State's aging fossil fuel infrastructure and achieve the State's renewable energy mandate by 2045, a succession of large renewable energy projects will be needed over the next twenty years. This measure supports adherence to bedrock labor standards and bolsters apprenticeship, which is critical to ensuring the State's businesses and workers are equipped with the talent and skills needed to accomplish the State's visionary renewable energy mandate.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3103, as

amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3103, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Wakai).
Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Lee).

SCRep. 2579 Health and Human Services on S.B. No. 3383

The purpose and intent of this measure is to:

- (1) Require the Executive Office on Aging to contract for a statewide assessment of the needs of the long-term care workforce for home- and community-based service providers; and
- (2) Make an appropriation.

Your Committee received testimony in support of this measure from the Executive Office on Aging, Healthcare Association of Hawaii, and one individual.

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

Your Committee finds that the State has the highest average life expectancy in the United States with a record 80.7 years. The number of kupuna living into their eighties, nineties, and even hundreds continue to grow, creating a greater need for a qualified, skilled long-term care workforce. Accordingly, the development of a long-term care system that addresses the continuum of needs for kupuna and individuals with disabilities, in part, requires understanding the barriers and challenges faced by providers of services for the aging and disabled, including the ability to hire skilled and competent employees. This measure provides the resources to address the long-term care needs and overall health of the State's residents.

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. 3383 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. 2580 Health and Human Services on S.B. No. 2885

The purpose and intent of this measure is to:

- (1) Establish a Homeless Triage Center Program within the Statewide Office of Homelessness and Housing Solutions in the Department of Human Services; and
- (2) Make an appropriation.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness; Department of Health; Institute for Human Services, Inc.; Partners in Care; Hawaii Substance Abuse Coalition; and four individuals.

Your Committee finds that, in 2022, the State was ranked fourth in the nation for the highest rates of homelessness. Homeless individuals suffering from behavioral health conditions are often high users of hospital emergency departments, costing the State's health system millions of dollars each year for emergency ambulance transportation and emergency mental health evaluations. This measure would establish a triage center to divert homeless individuals suffering from behavioral health conditions from hospital emergency departments and the criminal justice system.

Your Committee notes, however, the multiple different systems and programs that exist concerning the State's response to homeless individuals who are suffering from behavioral health conditions. There are operations in place led by the Department of Health, Department of Human Services, and The Judiciary, respectively, that assist individuals dealing with behavioral or mental health issues to various degrees. Accordingly, your Committee finds that, rather than adding more layers that could be counterproductive and creating excessive demands on the limited funding available for multiple different systems, the State would benefit from a coordinated system to address homeless individuals experiencing behavioral health issues and the determination of a cohesive path forward in the State's efforts to assist affected individuals. Amendments to this measure are therefore necessary to address this concern.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting language to establish a working group within the Statewide Office of Homelessness and Housing Solutions in the Department of Human Services to develop a triage center program that focuses on serving homeless individuals with substance abuse issues or mental illness;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2885, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2885, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2581 (Joint) Health and Human Services and Government Operations on S.B. No. 2503

The purpose and intent of this measure is to require all places of public accommodation constructed after December 31, 2024, and state building construction completed after December 31, 2024, to provide universal changing accommodations that are equally accessible regardless of gender.

Your Committees received testimony in support of this measure from the State Council on Developmental Disabilities, Disability and Communication Access Board, Hawai'i Family Caregiver Coalition, Stonewall Caucus of the Democratic Party of Hawai'i, Epilepsy Foundation of Hawaii, Hawaii Disability Rights Center, IATSE 665, and four individuals.

Your Committees received comments on this measure from the Department of Accounting and General Services, the Judiciary, Hawai'i Civil Rights Commission, and the Hawai'i State Public Library System.

Your Committees find that accessible facilities are essential for ensuring the dignity and independence of individuals with disabilities. Your Committees further find that families and caregivers of individuals with disabilities often face challenges in finding accessible spaces during outings or daily activities, requiring them to meticulously plan their routes to include disability-friendly rest areas that offer safe and dignified toileting options. By requiring new public accommodations and state buildings to provide universal changing accommodations, this measure will promote the integration of individuals with disabilities into public spaces, foster a sense of inclusion and belonging, and alleviate the burden on families and caregivers, thereby enabling them to participate more fully in various social activities and outings.

Your Committees have amended this measure by:

- (1) Requiring state building construction projects that are bid after June 30, 2025, to include universal changing accommodations where feasible and cost effective, rather than requiring all state building construction constructed after December 31, 2024, to include universal changing accommodations; 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 S.B. No. 2503, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2503, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2582 Health and Human Services on S.B. No. 2470

The purpose and intent of this measure is to make an appropriation to the Executive Office on Aging of the Department of Health for the Hawai'i Healthy Aging Partnership.

Your Committee received testimony in support of this measure from the Executive Office on Aging, Policy Advisory Board for Elder Affairs, County of Hawai'i Office on Aging, YMCA of Honolulu, Hawai'i Family Caregiver Coalition, AARP Hawai'i, and over one hundred twenty individuals.

Your Committee finds that the Hawai'i Healthy Aging Partnership was established in 2003 to improve the health status of older adults by empowering residents to make healthy decisions and engage in healthier lifestyles. Your Committee further finds that the partnership has been relying on its appropriation from fiscal year 2019-2020 to maintain certain program activities. Limited funding for the partnership inhibits programs from continuing and expanding to meet the needs of kupuna across the State. This measure makes a necessary appropriation to the Hawai'i Healthy Aging Partnership to continue to improve the health and well-being of the State's kupuna.

Your Committee has amended this measure by:

- (1) Inserting an unspecified appropriation amount; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that this measure, as amended, contains an appropriation for an unspecified amount. 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 \$600,000 for fiscal year 2024-2025.

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. 2470, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2470, 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. 2583 Health and Human Services on S.B. No. 2605

The purpose and intent of this measure is to:

- (1) Require health insurers, mutual benefit societies, and health maintenance organizations to provide health insurance coverage for various sexual and reproductive health care services; and
- (2) Apply this coverage to health benefits plans under the Hawaii Employer-Union Health Benefits Trust Fund.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, American College of Obstetricians and Gynecologists, Planned Parenthood Alliance Advocates – Hawai'i, Hawaii Medical Association, Indivisible Hawaii Healthcare Team, Hawai'i Affiliate of American College of Nurse-Midwives, Save Medicaid Hawaii, Hawai'i Health and Harm Reduction Center, and twenty-one individuals.

Your Committee received testimony in opposition to this measure from surfing4truth and forty-five individuals.

Your Committee received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs, Hawaii Association of Health Plans, and Hawaii Medical Service Association.

Your Committee finds that the State has long been a leader in advancing reproductive rights and advocating for access to affordable and comprehensive sexual and reproductive health care without discrimination. However, gaps in coverage and care still exist, and benefits and protections in the State have been threatened for years by a hostile federal administration that has attempted to restrict and repeal the federal Patient Protection and Affordable Care Act of 2010. Additionally, access to sexual and reproductive health care is critical for the health and economic security of all people in the State. Therefore, safeguarding access to reproductive health care, limiting out-of-pocket costs, and improving overall access to care is crucial to preserve the mandates of the Affordable Care Act while protecting Hawai'i's people. Accordingly, this measure provides additional safeguards for reproductive health care coverage in the State to ensure greater accessibility for all residents.

Your Committee has amended this measure by:

- (1) Deleting language that would have required a policy to cover an alternative contraceptive supply prescribed by the health care provider if a contraceptive supply covered by the policy is deemed medically inadvisable by the insured's health care provider;
- (2) Deleting language that would have amended the definition of "contraceptive supplies" as it relates to individual or group accident and health or sickness insurance plans, to include supplies used by the insured's partner;
- (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. 2605, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2605, 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 (Awa).

SCRep. 2584 (Joint) Government Operations and Agriculture and Environment on S.B. No. 2477

The purpose and intent of this measure is to:

- (1) Include single-ingredient products as a purchasing option for certain state departments and entities to fulfill their local food purchasing requirements; and
- (2) Define "single-ingredient product".

Your Committees received testimony in support of this measure from the Department of Agriculture; Agribusiness Development Corporation; Hawaii Cattlemen's Council, Inc.; and one individual.

Your Committees received comments on this measure from the Hawai'i Farm Bureau.

Your Committees find that the State recognizes the importance of supporting local farmers, growers, and food producers, including the myriad benefits of consuming locally-produced food such as freshness, reduced carbon footprint, and economic support to the local community. However, there is some ambiguity with existing provisions regarding the percentage of local ingredients required for a product to be deemed a "single-ingredient product". This measure defines the term "single-ingredient product" and includes single-ingredient products as a purchasing option for certain state departments and entities to fulfill their local food purchasing requirements.

Your Committees note the concerns raised in testimony of the Hawai'i Farm Bureau that the definition of "single-ingredient product" in the measure is unclear as to whether purchase of a product that is one hundred percent manufactured in Hawai'i but has no local agricultural ingredients, qualify as a local food purchase. During the public hearing on this measure, the Hawai'i Farm Bureau suggested, and the Department of Agriculture agreed, that removing the definition of "single-ingredient product" from this measure would be ideal.

Accordingly, your Committees have amended this measure by:

- (1) Deleting the definition of "single-ingredient product"; and
- (2) 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 Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2477, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2477, 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, none. Excused, 1 (Awa).
Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2585 (Joint) Government Operations and Energy, Economic Development, and Tourism on S.B. No. 3357

The purpose and intent of this measure is to:

- (1) Require state facilities to prepare a report assessing the feasibility of installing distributed energy resource systems at each facility;
- (2) Require state facilities to implement and install the distributed energy resource systems detailed in the reports no later than five years from the issue date of the reports; and
- (3) Assign priority for the required energy efficiency measures to first responder facilities.

Your Committees received testimony in support of this measure from Greenpeace Hawaii, Hawaii Chapter of 350.org, Hawaii Solar Energy Association, Kauai Climate Action Coalition, Chamber of Sustainable Commerce, Environmental Caucus of the Democratic Party of Hawai'i, Green Party of Hawai'i, and six 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 the installation of on-site, distributed energy resources, such as rooftop solar and battery storage, is a cost-effective method to reduce greenhouse gas emissions and other pollutants associated with electricity generation. Your Committees further find that energy used to power buildings account for more than fifty percent of the electricity consumed in the State. However, the State has not undertaken efforts to maximize on-site renewable generation at many of its own facilities, forgoing millions of dollars in potential savings. This measure builds the State's resilience to the effects of global warming while taking a proactive approach to cost savings for electricity consumption in state facilities.

Your Committees have amended this measure by:

- (1) Clarifying that the Department of Accounting and General Services is the responsible agency for taking measures to assess the potential and feasibility of installing distributed energy resource systems at each state facility, and providing a report detailing the findings; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Government Operations and 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. 3357, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3357, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Awa).

Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Kim).

SCRep. 2586 Government Operations on S.B. No. 2772

The purpose and intent of this measure is to:

- (1) Establish a Uniform Building Permit Working Group to study the feasibility of creating a single statewide building permit application package and a uniform review and approval process for building permits that can be used by all counties; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services.

Your Committee received comments on this measure from the Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that under existing law, applications for building permits are submitted to, and reviewed and approved by, each county, with varying requirements and processes, making it confusing for applicants to obtain one. This measure will reduce confusion, standardize paperwork, enhance efficiency, and streamline the building permit review and approval process in the State.

Your Committee has amended this measure by:

- (1) Adding the following members of their designees to the working group:
 - (A) The President of the Hawaii Chapter of the American Planning Association;
 - (B) The President of the Hawaii State Council of the American Institute of Architects;
 - (C) The Chair of the Hawaii Council of Engineering Societies;
 - (D) The Executive Director of the Hawaii Bankers Association; and
 - (E) The Executive Director of the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO;
- (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. 2772, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2772, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Wakai, Awa).

SCRep. 2587 Government Operations on S.B. No. 3028

The purpose and intent of this measure is to allow the 911 Board to:

- (1) Fund all latest technologies in 911 services by deleting the word “enhanced” in state law governing 911 services; and
- (2) Employ, in addition to staff who are also exempt from chapters 76 and 89, Hawaii Revised Statutes, relating to civil service and collective bargaining, respectively.

Your Committee received testimony in support of this measure from the State of Hawaii Enhanced 9-1-1 Board, Public Utilities Commission, Office of Enterprise Technology Services, Honolulu Police Department, Honolulu Fire Department, Hawaii Police Department, City and County of Honolulu Department of Information Technology, Kaua’i Police Department, and three individuals.

Your Committee finds that the term “enhanced” in reference to 911 services refers to a particular technology developed more than twenty years ago that allowed the display of the caller’s telephone identification and location. Your Committee recognizes that since then, technology has evolved with improvements in services and changes in terminology, rendering the term “enhanced” outdated. However, existing statutory language identifies 911 services specifically as enhanced 911 services, thereby restricting funding solely for the outdated enhanced 911 services. According to multiple testimonies received by your Committee, the deletion of the term “enhanced” from chapter 138, Hawaii Revised Statutes, regarding enhanced 911 services, would allow the 911 Board to expend moneys to upgrade the system with the latest 911 technologies necessary for the safety and well-being of all residents and visitors of the State.

Your Committee notes that the Enhanced 911 Fund currently has about \$28,000,000 in unencumbered funds and that the Enhanced 911 Board plans to spend only \$8,000,000 on next generation 911 technologies, leaving \$20,000,000 in the Enhanced 911 Fund.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that amends the rate of the monthly enhanced 911 surcharge from 66 cents for each communications service connection to 33 cents for accounts with a single communications service connection and 66 cents for accounts with multiple communications service connections;
- (2) Amending section 1 to reflect its amended purpose;
- (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 further notes that the rate changes made in this measure, as amended, will bring savings to consumers by charging the monthly enhanced 911 surcharge by account as opposed to per line.

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. 3028, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3028, 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 (Gabbard, Wakai).

SCRep. 2588 (Joint) Government Operations and Agriculture and Environment on S.B. No. 2753

The purpose and intent of this measure is to clarify that no state or county building code shall prohibit the use of a substitute refrigerant allowed by the Environmental Protection Agency if the applicable equipment is listed and installed in compliance with the latest safety standards.

Your Committees received testimony in support of this measure from the Department of Health, Hawaii Chapter of 350.org, Air-Conditioning, Heating, and Refrigeration Institute, and Climate Protectors Hawai’i.

Your Committees find that certain refrigerants, including hydrofluorocarbons, are potent greenhouse gases that can have an immense impact on global warming. While the American Innovation and Manufacturing Act of 2020 mandates an eighty-five percent phasedown in hydrofluorocarbon refrigerants, updates to the State Building Code are needed to comply with this mandate. This measure ensures the safety and efficiency of alternate refrigerants while promoting environmental protection.

As affirmed by the records of votes of the members of your Committees on Government Operations and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2753 and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
Government Operations: Ayes, 4. Noes, none. Excused, 1 (Awa).
Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2589 (Joint) Transportation and Culture and the Arts and Government Operations on S.B. No. 2896

The purpose and intent of this measure is to require each:

- (1) Parking lot in the State having public paid parking spaces in the State to accept payment of parking fees by credit card and debit card;

- (2) Parking meter in the State that collects parking fees for any public paid parking space to be maintained in working order to accept payment by cash, credit card, and debit card; and
- (3) County to adopt ordinances to enforce these requirements, including the establishment of penalties for failure to comply.

Your Committees received testimony in support of this measure from two individuals.

Your Committees received comments on this measure from the Department of Accounting and General Services and Department of the Attorney General.

Your Committees find that confusion surrounding credit card payments for public parking is a consistent problem for the State. Your Committees further find that parking meters cost the City and County of Honolulu \$200,000 per month in the first half of 2023 due to a lack of enforcement of card payment. This measure will ensure proper enforcement of parking meters by requiring all public paid parking spaces to accept credit or debit card.

Your Committees note that during the public hearing on this measure, discussion occurred regarding the requirement of parking meters to accept cash. Your Committees respectfully request that subsequent Committees look at whether or not there is an issue with requiring that all parking meters accept cash payment as this measure progresses in the legislative process.

Your Committees have amended this measure by:

- (1) Adding language to require the State and each county to submit annual reports to the Legislature regarding their progress implementing this measure; 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 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. 2896, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2896, 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.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 2590 (Joint/Majority) Transportation and Culture and the Arts and Agriculture and Environment on S.B. No. 2769

The purpose and intent of this measure is to require all state, county, and private bus operators to upgrade to zero emission buses by 2045.

Your Committees received testimony in support of this measure from the Hawai'i Climate Change Mitigation and Adaptation Commission, Disability and Communication Access Board, Climate Protectors Hawaii, Democratic Party of Hawai'i, Ulupono Initiative, Hawaiian Electric, Blue Planet Foundation, and three individuals.

Your Committees received testimony in opposition to this measure from two individuals.

Your Committees received comments on this measure from the Department of the Attorney General, State Procurement Office, Hawaii State Energy Office, and Public Utilities Commission.

Your Committees find that unabated greenhouse gas emissions, and resulting climate change and sea level rise, present an urgent and existential threat to citizens of the State. Your Committees further find that while the State and counties have pledged to reduce the State's greenhouse gas emissions, further action needs to be implemented. This measure will advance the State's climate change mitigation commitment.

Your Committees have amended this measure by:

- (1) Limiting the scope to require the State and counties to upgrade to zero emission buses by 2045;
- (2) Inserting language requiring the Public Utilities Commission to amend the Commission's administrative rules to encourage motor carriers to upgrade to zero emission buses by 2045;
- (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 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. 2769, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2769, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Awa).

Agriculture and Environment: Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 2591 (Joint/Majority) Transportation and Culture and the Arts and Agriculture and Environment on S.B. No. 2815

The purpose and intent of this measure is to establish a working group to conduct a comprehensive study to assess the State's port and harbor system and the potential viability of each location in that system to support current and future agricultural product transportation methods and needs.

Your Committees received testimony in support of this measure from the Department of Transportation; Department of Agriculture; Agribusiness Development Corporation; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc; and Hawaii Floriculture and Nursery Association.

Your Committees find that the Hawaii intrastate transportation system is critical to Hawaii's agriculture. Your Committees further find that an assessment of the supply chain in its entirety will help the State identify solutions and mitigate future challenges in the evolving shipping landscape. This measure will help the State improve its intrastate transportation system.

Your Committees have amended this measure by:

- (1) Clarifying that the study shall include an assessment of the maximum number of livestock that each pier in the State's port or harbor system is able to accommodate in shaded areas;
- (2) Specifying that the study shall include an assessment of areas where goods can be inspected, quarantined, and destroyed; 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 Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2815, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2815, 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.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Richards).

SCRep. 2592 (Joint/Majority) Transportation and Culture and the Arts and Agriculture and Environment on S.B. No. 2967

The purpose and intent of this measure is to:

- (1) Mandate that fifty percent of all heavy-duty motor vehicles in the State's fleet be hydrogen vehicles by an unspecified date;
- (2) Mandate that one hundred percent of all heavy-duty motor vehicles in the State's fleet be hydrogen vehicles by December 31, 2035; and
- (3) Define heavy-duty motor vehicle and hydrogen vehicle.

Your Committees received testimony in support of this measure from Tigershark, LLC and two individuals.

Your Committees received testimony in opposition to this measure from two individuals.

Your Committees received comments on this measure from the Hawaii State Energy Office.

Your Committees find that hydrogen can be produced from diverse domestic resources with the potential for near-zero greenhouse gas emissions. Your Committees further find that when used to power highly efficient fuel cell electric vehicles, hydrogen has enormous potential for strengthening national energy security, conserving petroleum, and diversifying the State's transportation energy options for a more resilient system. This measure will further the State's climate change mitigation commitment by transitioning all state-owned, heavy-duty motor vehicles to be hydrogen vehicles.

Your Committees have amended this measure by:

- (1) Clarifying that the Department of Transportation shall approve state fleet acquisitions; provided that heavy-duty motor vehicles purchased for the State's fleet be hydrogen or battery electric vehicles;
- (2) Specifying that "heavy-duty motor vehicle" means a truck, vehicle, or non-road vehicle or equipment having a gross weight rating of 8,581 pounds or more, before any after-market conversion to alternative fuel operation; 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 Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2967, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2967, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 4; Ayes with Reservations (Elefante). Noes, 1 (Awa). Excused, none.

Agriculture and Environment: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Richards).

SCRep. 2593 (Joint) Transportation and Culture and the Arts and Agriculture and Environment on S.B. No. 3013

The purpose and intent of this measure is to:

- (1) Appropriate funds to the Department of Transportation for the coordinated removal of albizia and other invasive trees; and

- (2) Require matching funds from public utilities.

Your Committees received testimony in support of this measure from the Department of Transportation, Hawai'i Forest Industry Association, Hawaiian Electric, and one individual.

Your Committees received comments on this measure from the Hawaii Invasive Species Council and Public Utilities Commission.

Your Committees find that invasive albizia trees present a threat to Hawaii due to their fragility and tendency to fall in windy, rainy, or stormy weather conditions. Your Committees further find that albizia trees can threaten public safety by blocking evacuation routes; damaging homes; downing utility lines; or impeding access to emergency care facilities, schools, and polling places after weather events like tropical storm Iselle in 2020. This measure will increase public safety and safer roadways by requiring the removal of albizia trees near public roadways and utility infrastructure.

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. 3013 and recommend that it pass Second Reading and be referred to your Committees on Ways and Means and Commerce and Consumer Protection.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Richards).

SCRep. 2594 (Joint) Commerce and Consumer Protection and Public Safety and Intergovernmental and Military Affairs on S.B. No. 3230

The purpose and intent of this measure is to:

- (1) Establish ratemaking regulations for insurers who base their rates on a policyholder or applicant's wildfire risk;
- (2) Amend the definition of "prospective loss costs" to incorporate catastrophe modeling instead of historical aggregate losses and prohibit insurers from basing certain insurance rates on past loss experience within or outside the State;
- (3) Establish new requirements for insurers relating to claims for additional living expenses under homeowners insurance policies, including situations where losses are incurred during a state of emergency; and
- (4) Require, beginning on January 1, 2025, each newly issued or renewed homeowners insurance policy that covers a property within the State to provide for the replacement cost value of the insured property.

Your Committees received testimony in support of this measure from one individual.

Your Committees received testimony in opposition to this measure from the Insurance Division of the Department of Commerce and Consumer Affairs, Hawaii Insurers Council, State Farm Mutual Automobile Insurance Company, American Property Casualty Insurance Association, and National Association of Mutual Insurance Companies.

Your Committees received comments on this measure from the Hawaii Association for Justice.

Your Committees find that the frequency of costly wildfires has caused many insurers to reassess their market risks. However, your Committees find that if an insurer seeks to increase their rates based on an applicant's wildfire risk, that process must be transparent and reasonable, and should not incorporate catastrophe modeling based on historical losses, which would substantially disadvantage those residents on Maui who are still in the process of rebuilding their communities. Therefore, this measure, in its current form, would establish certain ratemaking regulations for insurers who base their rates on wildfire risk and prohibit the use of past loss experiences. Further, this measure would establish new requirements for insurers relating to claims for additional living expenses and require homeowners insurance policies to provide for the replacement cost value.

Notwithstanding, your Committees have heard the testimony of the Insurance Division of the Department of Commerce and Consumer Affairs that part I of this measure is already being regulated under article 14 of chapter 431, Hawaii Revised Statutes; part II would remove information critical for an accurate and adequate rate process; and part III may result in higher premiums, discouraging new insurers from entering the Hawaii market. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and inserting a general fund appropriation in an unspecified amount for the Insurance Division of the Department of Commerce and Consumer Affairs, in collaboration with the University of Hawaii, to procure expertise and develop a physical risk model to assess risk in the State for insurance ratemaking and regulatory purposes; and
- (2) Inserting an effective date of July 1, 2040, to encourage further discussion.

Should your Committees on Judiciary and Ways and Means choose to deliberate on this measure, your Committees respectfully request that the committees consider inserting an appropriation amount of \$300,000 for the physical risk model.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection 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. 3230, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3230, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (Awa).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2595 Commerce and Consumer Protection on S.B. No. 3015

The purpose and intent of this measure is to authorize the issuance of special purpose revenue bonds in a total amount not to exceed \$700,000,000, in one or more series, to assist Hawaiian Electric Company, Inc. (Hawaiian Electric) and its subsidiaries, Maui Electric Company, Limited and Hawaii Electric Light Company, Inc. in financing multi-project capital improvement programs, including costs to cover the acquisition of land or the construction or acquisition of facilities used or related to the production, transmission, or distribution of electricity, or any combination thereof.

Your Committee received testimony in support of this measure from Hawaiian Electric Company, Inc.

Your Committee received testimony in opposition to this measure from Ho‘omana Pono, LLC.

Your Committee received comments on this measure from the Department of Budget and Finance, Hawaii Housing Finance and Development Corporation, and Public Utilities Commission.

Your Committee finds that the Department of Budget and Finance is authorized to issue special purpose revenue bonds to finance projects for utilities serving the general public in providing electric energy, gas, or telecommunications. Your Committee further finds that Hawaiian Electric is such an entity. Your Committee also finds that Act 41, Session Laws of Hawaii 2019, authorized the Department of Budget and Finance to issue up to \$700,000,000 in special purpose revenue bonds over five years, from 2019 to 2024, allowing Hawaiian Electric the option to finance multi-project capital improvement construction programs for the local furnishing of electric energy on Oahu, Hawaii island, and across Maui county. This measure extends the expiration date of the authorization currently in place from June 2024 to June 2029.

Your Committee finds that extending the authorization for the issuance of special purpose revenue bonds to assist in the financing of Hawaiian Electric’s multi-project capital improvement programs constitutes assistance to utilities serving the general public, and that the issuance of special purpose revenue bonds to finance facilities of, or for, or to loan the proceeds of such bonds to assist project parties, is in the public interest.

Your Committee has amended this measure by inserting an effective date of July 1, 2040, to encourage further discussion.

Your Committee notes that during the public hearing for this measure, your Committee requested Hawaiian Electric to provide an outline of the projects that will benefit from the issuance of special purpose revenue bonds pursuant to this measure. Your Committee notes that it received three electronic files comprising a total of thirty-five pages identifying various communication, distribution, general, production, steam, and transmission projects across the islands of Oahu and Maui.

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. 3015, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3015, 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. 2596 Commerce and Consumer Protection on S.B. No. 2913

The purpose and intent of this measure is to establish a framework to regulate the sale of travel insurance in the State.

Your Committee received testimony in support of this measure from Allianz Global Assistance, Hawaii Insurers Council, U.S. Travel Insurance Association, and Crum & Forster.

Your Committee received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs.

Your Committee finds that a nationwide comprehensive and uniform regulatory framework for the sale of travel insurance is necessary to protect travelers across the nation. Therefore, this measure, which is based on the Travel Insurance Model Act adopted by the National Council of Insurance Legislators and National Association of Insurance Commissioners model legislation, will clarify the application of existing laws relating to travel insurance and provide uniformity among participating states.

Your Committee has amended this measure by:

- (1) Clarifying the definition of “limited lines travel insurance producer” to include licensed insurance producers and limited lines producers, licensed under section 431:9A-107.5(a)(1), Hawaii Revised Statutes;
- (2) Deleting language that would have exempted each travel administrator and its employees from the licensing requirements of section 431:9-201, Hawaii Revised Statutes, for any travel insurance administered;
- (3) Inserting an effective date of July 1, 2040, 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. 2913, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2913, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2597 Commerce and Consumer Protection on S.B. No. 3229

The purpose and intent of this measure is to:

- (1) Require the Insurance Commissioner to establish a program to investigate complaints, respond to inquiries, and bring enforcement actions against insurers; and
- (2) Establish a working group to identify, assess, and recommend certain risk transfer market mechanisms.

Your Committee received testimony in opposition to this measure from the Insurance Division of the Department of Commerce and Consumer Affairs, Hawaii Insurers Council, NAIFA Hawaii, and National Association of Mutual Insurance Companies.

Your Committee finds that, in the wake of the August 2023 Maui wildfires, it is critical to ensure that the insurance industry is properly regulated to protect consumers. Further, your Committee finds that, as a result of climate change, the State should promote resilient policies to future-proof the State from other catastrophes and determine appropriate incentives to invest in natural infrastructure as part of insurance policies that mitigate elemental risk. This measure would establish certain procedures to authorize the Insurance Commissioner to respond to consumer complaints and bring enforcement actions, and establish a working group to identify, assess, and recommend certain risk transfer market mechanisms.

However, your Committee notes the concerns raised in testimony stating that the issues addressed in this measure, in its current form, relating to consumer complaints and enforcement are already provided for in the Insurance Code and could lead to confusion and interpretation issues. Further, your Committee finds that the provisions relating to additional living expenses under homeowners insurance policies as proposed in part III of S.B. No. 3230 (2024), should be added to this measure for further discussion. Therefore, amendments to this measure are necessary to address these issues.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have required the Insurance Commissioner to establish a program to investigate complaints, respond to inquiries, and bring enforcement actions against insurers;
- (2) Inserting language requiring that homeowners insurance policies include additional living expenses coverage for at least two weeks for certain losses incurred if a state of emergency is accompanied by an order of civil authority restricting access to the policyholder's home; and
- (3) Inserting an effective date of July 1, 2040, 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. 3229, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3229, 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 (Awa).

SCRep. 2598 Transportation and Culture and the Arts on S.B. No. 2111

The purpose and intent of this measure is to:

- (1) Under certain conditions, limit the payment of any delinquent tax and penalty required by the Director of Finance of a county as a condition precedent to the transfer of ownership of a vehicle to the aggregate amount of delinquent taxes and penalties accumulated by the previous registered owner over the preceding five-year period;
- (2) Establish a fine of not more than \$5,000 for a person that transfers ownership of a vehicle and thereafter reobtains ownership by subsequent transfer for the primary purpose of evading delinquent taxes and penalties; and
- (3) Require the respective counties to amend any applicable ordinances.

Your Committee received testimony in opposition to this measure from three individuals.

Your Committee finds that some car owners fail to pay delinquent taxes and penalties on vehicles that remain unused for years or even decades. Existing law requires that the person who re-registers a vehicle is required to pay the delinquent taxes and penalties, which shifts the burden to the person purchasing the used vehicle. This measure will help the purchasers of used vehicles by limiting the payment of delinquent taxes and penalties accumulated by the previous owner to the preceding five-year period.

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 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. 2111, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2111, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2599 Transportation and Culture and the Arts on S.B. No. 2178

The purpose and intent of this measure is to allow for a percentage of general excise and fuel taxes generated by the counties to be used for maintenance of private roadways that are open to 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 there has been an increase in utilization of streets, highways, thoroughfares, and roadways, and their surrounding areas that has resulted in an influx of traffic that exceeds their original design capacity. Currently, counties are prohibited from utilizing taxes to conduct maintenance on privately-owned roads that are open to the public. This measure will authorize counties to use county taxes for the reconstruction, improvement, repair, and maintenance of privately-owned roadways that are open to the public to increase public safety and the general welfare of the State.

Your Committee has amended this measure by:

- (1) Inserting legislative findings declaring that it is in the public interest to improve and maintain private roadways that serve the public, in limited circumstances;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on 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. 2178, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2178, 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. 2600 Transportation and Culture and the Arts on S.B. No. 2308

The purpose and intent of this measure is to establish additional fines and penalties for convictions of speeding in a school zone.

Your Committee received testimony in support of this measure from the Department of Transportation.

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

Your Committee finds that a study published in 2022 found that Hawaii ranked in the top ten nationwide for poor driving, analyzing statistics including speeding tickets, accidents, DUIs, and citations. Your Committee further finds that more is needed to create safe streets and reverse the trend of increased accidents and fatalities. Through establishing additional fines, this measure will encourage responsible driving in school zones.

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. 2308 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. 2601 Transportation and Culture and the Arts on S.B. No. 2738

The purpose and intent of this measure is to:

- (1) Establish a three-year pilot program within the Department of Transportation, in collaboration with the counties, to examine signalized intersections that are programmed to all crosswalk and pedestrian movement signs to commence four seconds before the green light is given to motor vehicle traffic when the walk button has been pressed;
- (2) Require a report to the Legislature; and
- (3) Make an appropriation.

Your Committee received testimony in support of this measure from the Department of Transportation, one member of the Kaua'i County Council, Hawai'i Appleseed Center for Law and Economic Justice, Ulupono Initiative, and two individuals.

Your Committee finds that a study published in 2022 found that Hawaii ranked in the top ten nationwide for poor driving, analyzing statistics including speeding tickets, accidents, DUIs, and citations. According to testimony received by your Committee, leading pedestrian intervals are an underutilized proven safety countermeasure in Hawaii. Your Committee believes that it is necessary to increase pedestrian visibility, reduce conflicts between drivers and pedestrians, improve the likelihood of drivers yielding to pedestrians, and protect vulnerable roadway users by establishing a pilot program to examine signalized intersections.

Your Committee has amended this measure by:

- (1) Adding language to authorize the pilot program to examine signalized intersections that have automatic pedestrian movement signs and new technologies;
- (2) Inserting an appropriation amount of \$599,000; and
- (3) Amending section 1 to reflect its amended purpose.

As affirmed by the record of votes of the members of your Committee on Transportation 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. 2738, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2738, 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. 2602 Transportation and Culture and the Arts on S.B. No. 3002

The purpose and intent of this measure is to make an appropriation to the Department of Transportation to implement the recommendations of the Mobility Management Task Force, established pursuant to Act 214, Session Laws of Hawaii 2013, in consultation with the Aging and Disability Resource Center of the Executive Office on Aging and other stakeholder groups.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, AARP Hawai'i, National Federation of the Blind of Hawaii, and five individuals.

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

Your Committee finds that Act 214, Session Laws of Hawaii 2013 (Act 214), established a task force on mobility management within the Department of Health to make recommendations on establishing a transportation framework to assist elders and individuals with disabilities with transportation needs in each county, including recommendations relating to the state budget and program development. According to the report, statewide, especially in rural communities, many elderly residents are without family members nearby to provide transportation and are too frail or disabled to access public transit. Your Committee recognizes the need to implement policies on mobility management, a concept in which a single entity in a geographical area is charged with knowing and deploying the entire array of transportation resources available. This measure provides resources to move towards these mobility management 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 is in accord with the intent and purpose of S.B. No. 3002 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. 2603 Transportation and Culture and the Arts on S.B. No. 3348

The purpose and intent of this measure is to change the state registration fee and the state vehicle weight tax amounts.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee received comments on this measure from the Department of Transportation, Tax Foundation of Hawaii, and Alliance for Automotive Innovation.

Your Committee finds that the State Highway Fund is currently funded from state motor vehicle registration fees, alternative fuel electric vehicle surcharges, and state motor vehicle weight taxes that pay for operations, maintenance, and improvements to land transportation facilities and serve as a state match for federal funding. According to testimony received by your Committee, these revenues perform critical construction to provide a safe, efficient, and accessible surface transportation system. This measure aims to reduce the cost of basic transportation, build safer infrastructure, and produce a more equitable method of taxation dependent upon individual usage. Your Committee finds that more data is needed to ensure thoughtful decision-making regarding the State Highway Fund.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting language to provide authority to the Director of Finance to develop means to identify additional data about vehicle registration and requiring collected data to be included in the registration database; and
- (2) Amending section 1 to reflect 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 is in accord with the intent and purpose of S.B. No. 3348, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3348, 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. 2604 (Joint/Majority) Agriculture and Environment and Transportation and Culture and the Arts on S.B. No. 3237

The purpose and intent of this measure is to:

- (1) Facilitate the control and eradication of invasive species and pests;
- (2) Establish a plant nursery licensing program;
- (3) Require the Department of Agriculture to designate certain species as pests for control or eradication;
- (4) Impose certain limits on imports and transportation; and
- (5) Update the method by which the Department's noxious weed list is updated.

Your Committees received testimony in support of this measure from the Coordinating Group on Alien Pest Species; Greenpeace Hawaii; Big Island Invasive Species Committee; Sierra Club of Hawai'i; Conservation Council for Hawai'i; Kua'āina Ulu 'Auamo; Council for Native Hawaiian Advancement; O'ahu Invasive Species Committee; We Are One, Inc.; The Outdoor Circle; Free Access Coalition; Hawaii Reef and Ocean Coalition; ROAR; and twenty-three individuals.

Your Committees received testimony in opposition to this measure from the Hawaii Floriculture and Nursery Association.

Your Committees received comments on this measure from the Department of the Attorney General, Department of Agriculture, and Hawai'i Farm Bureau.

Your Committees find that invasive species pose a significant threat to the State's native ecosystems. As the State has a high concentration of endemic species, many of which are endangered, greater action is needed to protect native plant species. This measure provides for enhanced limitations on imported plant species to ensure protection of the State's natural resources.

Your Committees have amended this measure by:

- (1) Clarifying that the Department of Agriculture is required to designate other pests for control or eradication by rule, and update designated taxa no less than once every two years;
- (2) Allowing the Department of Agriculture to proceed to adopt an emergency rule for the eradication of a pest or incipient infestation that is or is likely to become injurious or deleterious to native species or the environment;
- (3) Allowing the applicable county, invasive species committee, or Hawaii Ant Lab to develop or implement a program for a pest that is, or is likely to be, a threat to public health and welfare, or private property, if the Department of Agriculture does not develop and implement a detailed control or eradication program for a taxa designated as a pest for control or eradication;
- (4) Replacing references to "state plant regulatory official" with the Chairperson of the Board of Agriculture;
- (5) Requiring the Board of Agriculture to give a prompt hearing to the Chairperson of the Board of Agriculture and the appellant of a decision of Chairperson or any inspector of the Department of Agriculture;
- (6) Inserting language to include a pest that the Department of Agriculture or other government entity, including the appropriate invasive species committee for an island, attempts to contain, suppress, or reduce within the State or an area of the State as a "high-priority pest";
- (7) Inserting language to require a temporary plant nursery licensee demonstrate to the Department of Agriculture's satisfaction that the person does not sell any plant species designated by the Department as a noxious weed or restricted plant;
- (8) Deleting language that would have required a temporary plant nursery license produce nursery stock with a person with a valid plant nursery license;
- (9) Inserting language to require a temporary plant nursery licensee to import necessary stock subject to rules;
- (10) Inserting language prohibiting a small seller plant nursery licensee from selling any plant species designated by the Department of Agriculture as a noxious weed or restricted plant;
- (11) Inserting language to require a small seller plant nursery licensee import necessary stock subject to rules;
- (12) Deleting language that would have required the Department of Agriculture to place a stop sale on an affected nursery stock or location where a high-priority pest is present, low priority pests are not under effective control, or that the holder of a full plant nursery license, temporary plant nursery license, or a small seller plant nursery license is otherwise not in compliance with certain requirements;
- (13) Inserting language requiring the Department of Agriculture to mitigate, by whatever means necessary, the potential spread of a pest in an affected nursery stock or location where a high-priority pest is present, low priority pests are not under effective control, or that the holder of a full plant nursery license, temporary plant nursery license, or a small seller plant nursery license is otherwise not in compliance with certain requirements;
- (14) Inserting language allowing an applicant or person affected by the Department of Agriculture's actions in response to an affected nursery stock or location where a high-priority pest is present, low priority pests are not under effective control, or that the holder of a full plant nursery license, temporary plant nursery license, or a small seller plant nursery license is otherwise not in compliance with certain requirements to request a contested case hearing with the Department in writing within thirty days following the date of the Department's notice;
- (15) Inserting language requiring the Department of Agriculture's suspension or revocation of or refusal to issue or renew a full plant nursery license, temporary plant nursery license, or small seller plant nursery license be subject chapter 91, Hawaii Revised Statutes, and the rules adopted by the Board of Agriculture;
- (16) Deleting language that would have required the Department of Agriculture to consider certain taxa to be pests;
- (17) Deleting language that would have allowed the Department of Agriculture to designate the infested area of a pest by rules, including interim rules;
- (18) Deleting language that would have allowed the Department of Agriculture to enter into cooperative agreements with the United States Department of Agriculture and other federal, state, or county agencies to assist in the enforcement of federal quarantines;
- (19) Deleting language that would have prohibited certain articles relating to citrus pests and diseases from entering the State;
- (20) Deleting language that would have included a written agreement that serves as a permit issued by the Department of Agriculture to a person who carries out commercial activities and includes any terms or conditions the state plant regulatory official determines will slow or prevent the spread of a pest as a "compliance agreement";
- (21) Clarifying that inspectors have the authority to administratively inspect whenever the inspector has good cause to believe that the provisions of chapter 150A, Hawaii Revised Statutes, are being violated;

- (22) Replacing the term "item or material" with "article" or "articles" when referring to certain articles subject to certain conditions for importation into the State;
- (23) Inserting language establishing penalties for a person who violates conditions of importation of certain articles;
- (24) Inserting language clarifying that the Department of Agriculture is authorized to specify the flora, fauna, pest host material, and any other article, without being subject to chapter 201M, Hawaii Revised Statutes, or rulemaking requirements under chapter 91, Hawaii Revised Statutes;
- (25) Inserting language to repeal the criminal penalty for section 150A-5, Hawaii Revised Statutes;
- (26) Inserting language allowing the Department of Agriculture to submit an application seeking a change to the list of noxious weeds;
- (27) Inserting language requiring the Department of Agriculture to adopt rules and implement the Plant Nursery Licensing Program within two years;
- (28) Inserting language allowing persons to sell nursery stock without a license issued pursuant to the Plant Nursery Licensing Program in the two years before the Department of Agriculture is required to adopt rules and implement the Plant Nursery Licensing Program; and
- (29) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Transportation 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. 3237, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3237, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

Transportation and Culture and the Arts: Ayes, 4. Noes, 1 (Inouye). Excused, none.

SCRep. 2605 (Joint/Majority) Transportation and Culture and the Arts and Water and Land on S.B. No. 2226

The purpose and intent of this measure is to authorize each county to adopt ordinances to regulate or restrict access to certain streets, highways, thoroughfares, or roads.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, one member of the Hawai'i County Council, one member of the Maui County Council, one member of the Kaua'i County Council, and Hawaii State Association of Counties.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that the increased utilization of certain streets, highways, thoroughfares, and roadways, and their surrounding areas, has resulted in an influx of traffic that exceeds their original design capacity, thereby endangering both travelers and the culturally significant and environmentally sensitive sites that they traverse. Many of these roadways were not originally constructed to meet rigorous safety standards and therefore lack the necessary infrastructure now required for unregulated use, and due to this increased traffic, counties are unable to wholly mitigate the inherent risks posed by their non-standard designs. Recognizing this issue, your Committees believe that the counties should be empowered to establish access limits to safeguard these fragile sites.

Your Committees have amended this measure by:

- (1) Limiting the regulations or restrictions to motor vehicle access only; and
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Transportation and Culture and the Arts and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2226, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2226, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 4. Noes, 1 (Awa). Excused, none.

Water and Land: Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 2606 (Joint) Transportation and Culture and the Arts and Commerce and Consumer Protection on S.B. No. 2641

The purpose and intent of this measure is to:

- (1) Limit moving violations arising from the operation of a motor vehicle that appear on traffic abstracts to those that resulted in convictions; and
- (2) Require the Traffic and Emergency Period Violations Bureaus to remove all alleged moving violations not resulting in a conviction from certified abstracts.

Your Committees received testimony in support of this measure from the ACLU of Hawai'i and two individuals.

Your Committees received comments on this measure from The Judiciary.

Your Committees find that moving violations that do not result in convictions currently appear on certified abstracts furnished by the Traffic and Emergency Period Violations Bureaus of the District Courts. According to testimony received by your Committees, these alleged moving violations have barred individuals from both private and military employment. Your Committees believe that reducing the collateral consequences of court records is imperative to enhancing employment opportunities.

Your Committees have amended this measure by inserting an effective date of January 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Transportation and Culture and the Arts 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. 2641, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2641, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Awa).

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (Richards).

SCRep. 2607 (Joint/Majority) Transportation and Culture and the Arts and Commerce and Consumer Protection on S.B. No. 3022

The purpose and intent of this measure is to:

- (1) Establish a ridesharing fee; and
- (2) Deposit fees collected into the State Highway Fund.

Your Committees received testimony in support of this measure from the Department of Transportation, Oahu Metropolitan Planning Organization, Ulupono Initiative, and one individual.

Your Committees received testimony in opposition of this measure from AllWays Charley's Taxi and one individual.

Your Committees received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, and Uber Technologies.

Your Committees find that over the past five years, the rideshare industry has experienced substantial growth nationally and in Hawaii, transforming the way people commute and navigate. Your Committees recognize that Hawaii has the potential to create a self-sustaining model where those benefiting the most from rideshare services contribute directly to the maintenance and enhancement of the transportation infrastructure they utilize. This measure outlines an effective approach to address the challenges posed by the proliferation of rideshare services by implementing a fee to be utilized for infrastructure enhancements.

Your Committees have amended this measure by:

- (1) Replacing the term "rideshare" with the term "transportation network companies";
- (2) Inserting an unspecified fee amount;
- (3) Deleting language that would have deposited collected taxes into the State Highway Fund;
- (4) Adding language to clarify that collected taxes shall be deposited into the Safe Routes to School Program Special Fund;
- (5) Inserting an effective date of January 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 records of votes of the members of your Committees on Transportation and Culture and the Arts 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. 3022, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3022, 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; Ayes with Reservations (Elefante). Noes, 1 (Inouye). Excused, 1 (Awa).

Commerce and Consumer Protection: Ayes, 4; Ayes with Reservations (McKelvey). Noes, none. Excused, 1 (Richards).

SCRep. 2608 (Joint) Energy, Economic Development, and Tourism and Agriculture and Environment and Water and Land on S.B. No. 2499

The purpose and intent of this measure is to:

- (1) Require the Hawaii State Energy Office (HSEO) to implement a Slim-Hole Resource Characterization Program that identifies the location and characteristics of underground water and carbon sequestration resources across the State under the direction of the Hawaii Groundwater and Geothermal Resources Center at the University of Hawaii;
- (2) Require HSEO to prepare an environmental assessment or, if required, an environmental impact statement for the program;
- (3) Require HSEO to engage with the counties and nearby communities to understand community needs, priorities, and concerns relating to the program before and during the environmental assessment and the program;
- (4) Require a progress report to the Legislature; and
- (5) Make appropriations to the HSEO for the implementation of the slim-hole resource characterization program.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office, Ulupono Initiative LLC, Sustainable Energy Hawai'i, Climate Protectors Hawaii, and four individuals.

Your Committees received testimony in opposition to this measure from two individuals.

Your Committees find that a better understanding of underground water resources and carbon sequestration potential across the State can have multiple benefits to agriculture, clean energy, and land use. Your Committees also find that resource characterization through slim-hole bores of certain sizes and depths can identify water and carbon sequestration resources across the state. A statewide environmental assessment of a slim-hole exploration program, along with robust and continued community engagement, will help identify the most appropriate locations for this scientific activity.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism, 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. 2499, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2499, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Awa).

Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 2609 (Joint) Energy, Economic Development, and Tourism and Commerce and Consumer Protection on S.B. No. 2964

The purpose and intent of this measure is to authorize independent generators of renewable energy to wheel the renewable energy transmitted and used to produce hydrogen, subject to certain conditions determined by the Public Utilities Commission.

Your Committees received testimony in support of this measure from the Hawaii Center for Advanced Transportation Technologies; Hawaii Clean Power Alliance; and Tigershark, LLC.

Your Committees received testimony in opposition to this measure from the Kaua'i Island Utility Cooperative.

Your Committees received comments on this measure from the Hawaii State Energy Office, Department of Commerce and Consumer Affairs, Public Utilities Commission, Hawaiian Electric, and Ulupono Initiative LLC.

Your Committees find that there are many renewable energy generating facilities that are curtailed when there is an oversupply of energy generation. This excess energy is wasted and can be utilized to create hydrogen through the permitting of wheeling renewable energy. This measure aids the State in meeting its future energy needs, facilitates the development of green hydrogen and renewable energy industries, and reduces dependence on fossil fuels through authorizing the wheeling of renewable energy to produce hydrogen.

Your Committees have amended this measure by:

- (1) Changing references from "third-party electric utility" to "third-party investor-owned electric utility";
- (2) Inserting an effective date of January 1, 2060, 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 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 S.B. No. 2964, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2964, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

SCRep. 2610 (Joint) Energy, Economic Development, and Tourism and Government Operations on S.B. No. 2822

The purpose and intent of this measure is to August 1, 2024, require the Public Utilities Commission to open a docket and set a procedural schedule to determine whether, and by which rules, the Department of Accounting and General Services may engage in wheeling of electricity that is produced by renewable energy sources from their own facilities over existing transmission lines, subject to certain restrictions.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services; Blue Planet Foundation; Hawaii Solar Energy Association, Inc.; and Hawaii Clean Power Alliance.

Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs; Hawaiian Electric; and Ulupono Initiative, LLC.

Your Committees find that the production of clean electricity may be encouraged if certain government agencies, as sellers of clean electricity, are authorized to engage in intragovernmental wheeling, or the transmittal of electric power from one power generation facility to another facility over the existing transmission lines of a third-party electric public utility. Your Committees further find that the Public Utilities Commission's failure to open and move a docket on wheeling for state facilities has hindered the State's ability to share and distribute the electricity generated amongst its facilities. This measure authorizes intragovernmental wheeling, which provides multiple benefits for the State's electrical grid, clean energy power producers, and the State's taxpayers.

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. 2822 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, 3. Noes, none. Excused, 2 (Fukunaga, Kim).

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2611 (Joint) Labor and Technology and Health and Human Services on S.B. No. 2547

The purpose and intent of this measure is to establish income tax credits for employers who offer employer-provided or employer-sponsored child care services for their employees.

Your Committees received testimony in support of this measure from Retail Merchants of Hawaii; NFIB, Hawaii Chapter; Chamber of Commerce Hawaii, Society of Human Resource Management Hawaii, and one individual.

Your Committees received comments on this measure from Department of Taxation and Tax Foundation of Hawaii.

Your Committees find that working parents in Hawaii have a difficult time balancing their professional responsibilities with the care and nurturing of their children. Your Committees also find that lack of sufficient childcare is a major barrier for entry or reentry into the workforce. This measure will incentivize employers to provide a safe child care environment at the workplace or subsidize the cost their employees bear for child care during workhours, thereby helping employees better balance their work and family responsibilities.

Your Committees have amended this measure by:

- (1) Clarifying that the prorated tax credit for the costs of qualified child care property purchased and acquired by employers to provide child care facilities on their premises that is in excess of the employer's net income tax liability for the taxable year shall not be carried forward;
- (2) Clarifying that the information to ensure that the tax credits under this measure are granted only to eligible taxpayers, that must be included in the written sworn statement submitted by a taxpayer claiming the tax credit to the Department of Taxation, shall be set forth in rules adopted by the Department of Human Services; 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 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. 2547, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2547, 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).

Health and Human Services: Ayes, 5. Noes, none. Excused, none.

SCRep. 2612 Water and Land on S.B. No. 2050

The purpose and intent of this measure is to require the Department of Land and Natural Resources to establish and conduct a Marine Life Conservation District Carrying Capacity Program to establish best practices for appropriate use of the State's marine life conservation districts (MLCDs).

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Hawaii Reef and Ocean Coalition, Fair Wind Big Island Ocean Guides, and one individual.

Your Committee finds that MLCDs are established by the Department of Land and Natural Resources to conserve and replenish the State's marine resources. Act 31, Session Laws of Hawaii 2022, was passed to require the Department of Land and Natural Resources to establish and conduct the Pupukeya MLCD Carrying Capacity Pilot Program to reduce the impact of humans on the health and abundance of marine life in the sensitive areas of the Pupukeya MLCD. This measure will address the carrying capacity limits of the State's most valuable marine resources, ensuring their protection and conservation for the future.

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. 2050, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2050, 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. 2613 Water and Land on S.B. No. 2057

The purpose and intent of this measure is to provide matching grant-in-aid funds to the County of Hawaii to hire an engineering firm to study, plan, assist, and conduct preliminary design and concept work for a two-phase project to restore the Kahaluu Beach Park in the County of Hawaii.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Parks and Recreation of the County of Hawai'i, Office of Hawaiian Affairs, two members of the Hawai'i County Council, The Kohala Center, Fair Wind Cruises, Dear Ocean, Hawaii Marine Education and Research Center, Friends of Hanauma Bay, Hawaii Reef and Ocean Coalition, and twenty-eight individuals.

Your Committee finds that Kahaluu Bay, which is situated in a resort area south of Kailua-Kona in the County of Hawaii, is a popular beach destination for residents and tourists alike due to its natural beauty and history as a sacred place to Native Hawaiians. The County of Hawaii uses an innovative public-private partnership with the Kohala Center's Kahaluu Bay Education Center to provide daily stewardship management that is intended to promote long-term preservation. While the Kahaluu Bay Education Center's efforts have greatly benefited Kahaluu Beach's marine and coastal ecosystem, they cannot shield the beach from the impacts of global warming. This measure will help preserve Kahaluu Beach Park for future generations by providing matching grant-in-aid funds to the County of Hawaii to hire an engineering firm that will develop a plan to restore Kahaluu Beach Park.

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. 2057, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2057, 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. 2614 Water and Land on S.B. No. 2296

The purpose and intent of this measure is to appropriate funds to:

- (1) Support the Department of Land and Natural Resources to restore and restock fishponds by procuring fingerlings and limu; and
- (2) Establish 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, Department of Agriculture, Kua'āina Ulu 'Auamo, Hawaii Reef and Ocean Coalition, Hawaii Food+ Policy, Hulu Mamo Hawaiian Civic Club, and four individuals.

Your Committee finds that loko ia, or fishponds, play an important role in Hawaiian cultural practices, have an ecologically important role in watersheds, and could significantly contribute to the State's food security and goals. This measure will support ongoing efforts to restore the State's fishponds and make them more sustainable.

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. 2296, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2296, 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. 2615 (Joint) Water and Land and Energy, Economic Development, and Tourism on S.B. No. 3060

The purpose and intent of this measure is to require the Office of Planning and Sustainable Development to develop and publish a statewide climate adaptation and resilience implementation plan.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development; Department of Business, Economic Development, and Tourism; Democratic Party of Hawai'i; American Flood Coalition Action; and two individuals.

Your Committees find that the State faces many challenges associated with climate change, including increased hurricane and tropical cyclone activity, rising temperatures, hazardous inland flooding and landslides, coastal erosion and sea level rise, drought, and increased wildfires in our communities. While many specific plans related to the State's climate adaptation have been published, there is no overarching statewide strategy in place to address the multiple climate hazards and land use concerns or to evaluate the State's risk and vulnerability. This measure addresses climate associated challenges the State faces by establishing a statewide climate adaptation and resilience implementation plan that aggregates and draws on the recommendations made by multiple agencies.

Your Committees have amended this measure by:

- (1) Inserting an unspecified 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 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. 3060, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3060, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Water and Land: Ayes, 5. Noes, none. Excused, none.
Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

SCRep. 2616 Water and Land on S.B. No. 3168

The purpose and intent of this measure is to authorize the Department of Land and Natural Resources to approve permits for research, education, management, or propagation purposes that include the taking of sand, dead coral, coral rubble, rocks, soil, and other marine deposits seaward of the shoreline.

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 two individuals.

Your Committee finds that the Department of Land and Natural Resources (Department) regularly receives requests for permits that involve taking of sand, dead coral, coral rubble, rocks, soil, or other marine deposits from state waters for research, education, management, or propagation purposes. However, the Department is not authorized to approve these permit requests as section 171-58.5, Hawaii Revised Statutes, does not currently allow for the taking of these resources for those purposes. This measure will allow the Department to approve research, education, management, or propagation activities requiring these resources and ensure these activities are appropriate and beneficial.

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. 3168, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3168, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2617 Water and Land on S.B. No. 2182

The purpose and intent of this measure is to make the Ocean Stewardship Special Fund permanent.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Sierra Club of Hawai'i, Hawaii Reef and Ocean Coalition, Resources Legacy Fund, and one individual.

Your Committee received testimony in opposition to this measure from the Ocean Tourism Coalition and Quicksilver Charters.

Your Committee finds that the Department of Land and Natural Resources recently promulgated administrative rules to implement the Ocean Stewardship User Fee as required by section 187A-52, Hawaii Revised Statutes, which requires all commercial ocean operators that are required to have a commercial use permit from the Division of Boating and Ocean Recreation to collect a \$1 fee from each passenger or customer. All fees are deposited into the Department of Land and Natural Resources' Ocean Stewardship Special Fund to be used for the conservation, restoration, enhancement, and management of marine resources in the State. This measure will allow the Department of Land and Natural Resources to plan for longer-term ocean stewardship projects that require a greater investment of time and resources.

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. 2182 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. 2618 Health and Human Services on S.B. No. 2473

The purpose and intent of this measure is to:

- (1) Establish a refundable tax credit for nonpaid family caregivers; and
- (2) Require the Department of Taxation to report to the Legislature before the convening of each Regular Session.

Your Committee received testimony in support of this measure from the County of Hawai'i Office of Aging; Alzheimer's Association-Hawaii; Hawai'i Children's Action Network Speaks!; Hawai'i Primary Care Associations; Aloha United Way, Inc.; AARP Hawai'i; The Institute for Human Services, Inc.; Hawai'i Family Caregiver Coalition; and thirteen individuals.

Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that family caregivers are the backbone of the long-term care system in the State. Your Committee further finds that nonpaid family caregivers face many physical, emotional, and financial challenges and often balance caregiving with work and other personal responsibilities. Your Committee additionally finds that the demands on family caregivers are not isolated family issues and that the State should assist in the delivery of meaningful support and solutions for those that provide unpaid long-term care services in the State. This measure will therefore help ease the financial expenses incurred by unpaid caregivers.

Your Committee has amended this measure by:

- (1) Inserting language into the definition of "eligible taxpayer" to include any relative of a care recipient who has not claimed a credit under section 235-55.6, Hawaii Revised Statutes;
- (2) Clarifying in the definition of "care recipients" that impairments of individuals be certified by a primary care medical provider;

- (3) Clarifying that the Department of Taxation's report to the Legislature include the number of taxpayers claiming the tax credit;
- (4) Removing language that would have allowed the excess of credit over income tax payments due to be refunded to the taxpayer;
- (5) Correcting the legislative findings to clarify the value of the unpaid service hours for family caregivers from \$2,600,000 to \$2,600,000,000;
- (6) Delaying the applicability of the tax credit to taxable years beginning after December 31, 2024;
- (7) Inserting an effective date of December 31, 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 S.B. No. 2473, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2473, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2619 (Joint) Agriculture and Environment and Commerce and Consumer Protection on S.B. No. 2174

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture to establish, implement, and administer a Meat and Poultry Inspection Program and annually report to the Legislature; and
- (2) Appropriate an unspecified amount of funds for the establishment, implementation, and administration of the Meat and Poultry Inspection Program.

Your Committees received testimony in support of this measure from the Department of Agriculture; Hawaii Cattlemen's Council, Inc.; and two individuals.

Your Committees received comments on this measure from the Animal Welfare Institute.

Your Committees find that the State does not have a meat and poultry inspection program. Presently, the State relies on the United States Department of Agriculture's Food and Safety and Inspection Service under a cooperative agreement to inspect the safety and labeling of meat, poultry, and egg products produced in the State. This measure ensures a high level of standards for meat and poultry to protect the public health and safety of Hawaii's people.

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 S.B. No. 2174 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (DeCoite).
Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

SCRep. 2620 Agriculture and Environment on S.B. No. 3302

The purpose and intent of this measure is to establish a refundable income tax credit that alleviates the high costs of production for certain farmers, ranchers, and fishers of the State.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Alliance for Progressive Action, Hawai'i Farm Bureau, Hawai'i Farmers Union United, Malama Kauai, Women Organizing for Change in Agriculture and Natural Resource Management, Beyond Organic Consulting Inc., Kanalani Ohana Farm, and forty-six individuals.

Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the State has a goal to double local food production for local consumption by 2030. Your Committee recognizes that the agriculture industry is struggling with high input and land costs, increasing inflation, supply chain disruptions, climate change, natural disasters, and loss of markets due to reduced tourism. Your Committee further finds that providing tax relief to farmers, ranchers, and fishers to reduce the high production cost of local food products will help the State in achieving its food security and sustainability goals.

Your Committee has amended this measure by:

- (1) Making the income tax credit nonrefundable for all eligible farmers, ranchers, and fishers;
- (2) Inserting a definition of "qualified expenses"; and
- (3) Making the income tax credit applicable to taxable years beginning after December 31, 2024.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3302, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3302, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2621 (Joint/Majority) Health and Human Services and Judiciary on S.B. No. 3335

The purpose and intent of this measure is to:

- (1) Establish the Hawaii Cannabis Authority and Cannabis Control Board within the Department of Commerce and Consumer Affairs to regulate all aspects of the cannabis plant;
- (2) Beginning January 1, 2026, legalize the personal adult use of cannabis;
- (3) Establish taxes for adult-use cannabis sales;
- (4) Transfer the personnel and assets of the Department of Health and assets of the Department of Agriculture pertaining to cannabis to the Hawaii Cannabis Authority; and
- (5) Appropriate funds.

Prior to the hearing on this measure, your Committees posted and made available for public view a proposed S.D. 1 of this measure, which retained the contents of this measure and also:

- (1) Establishes the Cannabis Control Implementation Advisory Committee;
- (2) Modifies the various special funds into which tax revenues shall be deposited;
- (3) Increases the number of members on the Cannabis Control Board and modifies the reporting requirements of the Executive Director;
- (4) Requires records relating to the arrest, criminal charge, or conviction of a person for certain acts decriminalized by this measure, including the possession of distribution of marijuana, to be ordered expunged;
- (5) Establishes that it shall be unlawful to operate any vehicle with a THC concentration of ten or more nanograms per milliliter of blood; and
- (6) Adjusts the appropriations in the measure for the respective special funds and the establishment of certain positions within various departments and agencies.

Your Committees received testimony in support of this measure or the proposed S.D. 1 from the Department of Health Office of Medical Cannabis Control and Regulation; Office of the Public Defender; one member of the Kaua'i County Council; Hawaii Cannabis Industry Association; Green Aloha Ltd.; Chamber of Sustainable Commerce; Big Island Grown; Cultivation Sector Consulting, LLC; Noa Botanicals, LLC; Patients Without Time; Techmana LLC; Hawaiian Ethos LLC; and forty-five individuals.

Your Committees received testimony in opposition to this measure or the proposed S.D. 1 from the Hawaii Paroling Authority; Department of the Prosecuting Attorney of the City and County of Honolulu; Hawai'i Police Department; Kaua'i Police Department; Department of the Prosecuting Attorney of the County of Maui; Maui Police Department; Honolulu Police Department; one member of the Honolulu City Council; one member of the Kaua'i County Council; Doctors for Drug Policy Reform; Coalition for a Drug-Free Hawaii; Hawaii Substance Abuse Coalition; Pono Records; Hawaii High Intensity Drug Trafficking Area; Smart Approaches to Marijuana Hawaii; Weed and Seed Hawaii, Inc.; Retail Merchants of Hawaii; Hawaii Family Forum; Hawaii Farmers Union United; Agriplago; and over one hundred fifty individuals.

Your Committees received comments on this measure or the proposed S.D. 1 from the Department of the Attorney General; Department of Education; Department of Law Enforcement; Department of Taxation; Department of Budget and Finance; Department of Commerce and Consumer Affairs; Department of Health; Department of Agriculture; Hawaii Children's Action Network Speaks!; Tax Foundation of Hawaii; Akamai Cannabis Consulting; Healthcare Association of Hawaii; American Cancer Society Cancer Action Network; Law Enforcement Action Partnership; Cannabis Society of Hawai'i; ACLU of Hawai'i; Hawaii Credit Union League; Democratic Party of Hawai'i; Hawaii Applesseed Center for Law and Economic Justice; Hawai'i Public Health Institute; Last Prisoner Project; Marijuana Policy Project; Reimagining Public Safety in Hawai'i Coalition; Drug Policy Forum of Hawai'i; Council for Native Hawaiian Advancement; Oahu Cannabis Farms Alliance; Blue Skies Unlimited, LLC; and six individuals.

Your Committees find that cannabis, also known as marijuana, is a plant with psychoactive properties derived primarily from its main psychoactive component tetrahydrocannabinol (THC). In the United States, cannabis has three primary categories: cannabis for medical use; cannabis for non-medical adult use; and hemp that contains low levels of THC. Presently, non-hemp cannabis is an illegal drug and is classified by the federal government as a schedule I controlled substance under the Uniform Controlled Substances Act. Presently, the State regulates medical cannabis usage, including dispensaries authorized to operate in Hawaii. Additionally, the State has decriminalized the possession of small amounts of non-medical cannabis. However, recreational adult-use cannabis remains illegal.

Your Committees also find that twenty-four other jurisdictions across the United States have enacted laws to regulate the sale and adult use of recreational cannabis. Additionally, other jurisdictions have transitioned to utilizing one regulatory agency for both medical and recreational use, to create regulatory consistency across products; clear oversight of consumable products for both consumer safety and youth access; avoid regulatory gaps; clarify communication for stakeholders; and streamline government operations.

Your Committees further find that regulatory inaction may increase consumer confusion, which can jeopardize public health and safety incidents and blur the lines between illicit markets and approved products. To properly regulate cannabis and its derivative products, uniform regulations for the entire cannabis plant are necessary to promote public health and safety. Therefore, establishing a singular entity tasked with the regulation of cannabis in all forms and for all uses will streamline government operations and policy formulation and eliminate regulatory gaps.

Accordingly, this measure establishes a framework to centralize cannabis under a single regulatory authority while legalizing the recreational adult use of cannabis statewide, under certain conditions.

Your Committees note the extensive testimony in opposition to this measure. As the federal Food and Drug Administration is considering rescheduling cannabis to a lower classification, the Legislature is taking a proactive approach to establish a framework for policy relating to cannabis if and when federal regulations are reduced. Additionally, your Committees also note the concerns raised by hemp farmers regarding existing hemp products and its regulatory framework. This measure will retain the regulatory framework in existing law for hemp farmers, consistent with the Central Intelligence Agency. Should this measure be enacted, hemp products will continue to be taxed under the general excise tax, rather than the cannabis tax proposed in this measure.

Your Committees have amended this measure by adopting the proposed S.D. 1 and further amending the measure by:

- (1) Inserting language that clarifies the selection process for the Chairperson and Vice-Chairperson of the Cannabis Control Board;
- (2) Clarifying that, in the event of a tie in the election of the Chairperson or Vice-Chairperson of the Cannabis Control Board, the Governor shall be the tie-breaking vote;
- (3) Deleting language that would have legally expunged the record of an individual who distributed cannabis before January 1, 2026;
- (4) Clarifying that a taxpayer, rather than a cannabis retailer, shall obtain a separate cannabis tax permit for each place of business owned, controlled, or operated by the taxpayer;
- (5) Authorizing the Director of Taxation to revoke or cancel a cannabis permit issued for cause;
- (6) Deleting certain requirements relating to cannabis tax permits for the retail sale of cannabis or sale of medical cannabis that would impede the tax collection process;
- (7) Deleting language that would have imposed a general excise tax of ten percent on the retail sale of cannabis and, beginning January 1, 2026, establishing a new cannabis tax of fourteen percent to apply in lieu of the general excise tax;
- (8) Clarifying that the new cannabis tax of four percent, rather than the standard general excise tax, shall apply to medical cannabis sales;
- (9) Deleting language that would have allowed for a refund or credit for casualty losses;
- (10) Inserting language exempting the gross income from the retail sale of cannabis or sale of medical cannabis from the general excise tax;
- (11) Inserting language to require taxpayers to file an annual cannabis tax reconciliation return;
- (12) Inserting language to require taxpayers to file cannabis tax returns electronically;
- (13) Clarifying the requirements for the submission of monthly returns for all sales of cannabis by persons subject to the cannabis tax law;
- (14) Clarifying language to delete references to income tax provisions that require taxpayers to file an annual reconciliation return;
- (15) Clarifying the allocation for the disposition of cannabis tax revenues to be:
 - (A) Fifty percent of the tax collected shall be deposited into the Cannabis Regulation, Nuisance Abatement, and Law Enforcement Special Fund; and
 - (B) Fifty percent of the tax collected shall be deposited into the Cannabis Social Equity, Public Health and Education, and Public Safety Special Fund;
- (16) Clarifying that all persons subject to the cannabis tax shall follow certain recordkeeping requirements;
- (17) Clarifying that inspection requirements shall apply to all persons subject to cannabis tax law requirements, rather than general excise tax law requirements;
- (18) Deleting language that would have authorized the Department of Taxation to suspend, revoke, and deny renewals of cannabis tax permits;
- (19) Inserting language that establishes fifteen full-time equivalent (15.0 FTE) positions within the Hawaii Cannabis Authority;
- (20) Amending the positions established for the Department of Taxation to include:
 - (A) Two full-time equivalent (2.0 FTE) auditor positions;
 - (B) One full-time equivalent (1.0 FTE) cashier position;
 - (C) Three full-time equivalent (3.0 FTE) special enforcement section investigator positions;
 - (D) Two full-time equivalent (2.0 FTE) tax information technician positions; and
 - (E) Two full-time equivalent (2.0 FTE) tax law change specialist positions;
- (21) Inserting an appropriation amount of \$1,190,000, rather than \$750,000, to the Department of Taxation for:
 - (A) The establishment of the ten full-time equivalent (10.0 FTE) positions within the Department;

- (B) Project management services; and
- (C) Costs for building and security improvements;
- (22) Making the tax provisions of this measure effective January 1, 2026;
- (23) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (24) Making 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. 3335, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3335, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 5; Ayes with Reservations (Aquino, Shimabukuro). Noes, none. Excused, none.

Judiciary: Ayes, 3. Noes, 1 (Elefante). Excused, 1 (Gabbard).

SCRep. 2622 Government Operations on S.B. No. 3094

The purpose and intent of this measure is to:

- (1) Establish a working group to create a statewide framework for peer support specialists; and
- (2) Appropriate funds for the establishment of the peer support specialist working group, including for the Office of Wellness and Resilience to contract with an administrative facilitator to provide the working group with necessary support.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation, Department of Health, State Council on Developmental Disabilities, The Judiciary, Office of Wellness and Resilience, Hawai'i Children's Action Network Speaks!, Commit to Keiki, Hawaii Substance Abuse Coalition, National Alliance on Mental Illness Hawaii, and Early Childhood Action Strategy.

Your Committee finds that peer support specialists assist patients with rebuilding a sense of control and empowerment by utilizing strengths-based approaches that emphasize physical, psychological, and emotional safety. Your Committee further finds that the federal Centers for Medicare and Medicaid Services recognize that the experiences of peer support specialists, can be an important component in the delivery of effective mental and behavioral health treatment. Additionally, the federal Substance Abuse and Mental Health Services Administration identifies peer support as one of the six guiding principles of trauma-informed care. Your Committee also finds that peer support specialists provide benefits to a variety of individuals, including those who are experiencing homelessness, involved in the child welfare system, and survivors of disasters. The recommendations from the working group established pursuant to this measure will allow the State to make an informed decision on establishing a framework for peer support specialists in the State.

Your Committee has amended this measure by:

- (1) Clarifying that the chairperson may invite as members of the working group, two caregivers with lived experience as the caregiver of a child or youth in behavioral health, child welfare, or the juvenile justice systems;
- (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 notes that this measure, as amended, does not include in the working group, a member from the Department of Corrections and Rehabilitation. Your Committee finds that the inclusion of the Director of Corrections and Rehabilitation in the working group merits further consideration and respectfully requests further examination by subsequent committees to which this measure is referred.

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. 3094, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3094, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Wakai, Awa).

SCRep. 2623 (Majority) Commerce and Consumer Protection on S.B. No. 2109

The purpose and intent of this measure is to exempt from the offense of unlawful shipment of tobacco products the shipments of large cigars and pipe tobacco sold to a consumer in the State through the Internet under certain circumstances.

Your Committee received testimony in support of this measure from the Cigar Association of America, Inc.; Retail Merchants of Hawaii; and thirteen individuals.

Your Committee received testimony in opposition to this measure from the Department of Health, one member of the Hawai'i County Council, American Cancer Society Cancer Action Network, Hawai'i Public Health Institute, The Friends of Kamalani and Lydgate Park, and three individuals.

Your Committee finds that for many adults that enjoy consuming large cigars and pipe tobacco, the inability to order these products directly from online sellers is an inconvenience and costly constraint, due to the stark difference between online and retail sales prices. Your Committee further finds that the lack of an exemption for large cigars, which includes high-quality, hand-rolled premium cigars, has also led many consumers to purchase these products illegally, resulting in the establishment of a black market and a reduction in

taxes collected by the State. This measure will provide a much-needed exemption from the offense of unlawful shipment of tobacco products for certain large cigars and pipe tobacco products sold through the Internet for the benefit of consumers across the State.

Your Committee has amended this measure by:

- (1) Inserting a definition for the term “pipe tobacco”;
- (2) Limiting the exemption from the offense of unlawful shipment of tobacco products for large cigars and pipe tobacco to sales that occur on or before June 30, 2025;
- (3) Inserting an effective date of July 1, 2040, 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. 2109, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2109, 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; Ayes with Reservations (Richards). Noes, 2 (Fukunaga, McKelvey). Excused, none.

SCRep. 2624 (Joint/Majority) Commerce and Consumer Protection and Agriculture and Environment on S.B. No. 2120

The purpose and intent of this measure is to, beginning January 1, 2025, to:

- (1) Establish provisions relating to retail pet sales; and
- (2) Authorize retail pet stores to showcase pet animals owned by a nonprofit animal welfare organization.

Your Committees received testimony in support of this measure from The Humane Society of the United States; Hawaiian Humane Society; Kaua‘i Humane Society; Animal Welfare Institute; Animal Interfaith Alliance; and sixteen individuals.

Your Committees received testimony in opposition to this measure from The Pet Depot LLC; Pacific Pet Alliance; Koolau Pets, Inc.; and twenty-one individuals.

Your Committees received comments on this measure from the American Kennel Club.

Your Committees find that despite the high popularity of pets in the State, there are few regulations of retail pet businesses, placing consumers at risk of purchasing sick pets, including pets that may carry diseases that are transmissible to people and other pets. Your Committees further find that the lack of regulation allows retail pet businesses to acquire animals from large-scale commercial breeders, which may not provide sanitary or humane living conditions for their animals. Therefore, this measure requires retail pet stores to maintain certain source and medical information relating to the animals that they sell, which will improve the health and safety of both pets and pet owners in the State.

Your Committees have amended this measure by:

- (1) Deleting language that would have required a retail pet store to retain physical copies of shipment records and invoices for pet animals purchased from a foreign breeder or broker, and certain licenses and photo identification cards of breeders and brokers;
- (2) Allowing, rather than requiring, retail pet stores to provide certain records pertinent to a pet animal to a prospective purchaser before any sale is finalized;
- (3) Deleting language that would have required a retail pet store to submit records annually to the county’s animal control services agency or contractor;
- (4) Deleting language that would have made each pet animal sold or offered for sale in violation of this measure a separate violation;
- (5) Deleting language that would have required all fines collected upon a violation to be paid into the treasury of the county where the violation occurred;
- (6) Deleting language that would have prohibited new retail pet stores that were not in operation before January 1, 2025, from selling or offering for sale any pet animal;
- (7) Amending section 1 to reflect its amended purpose;
- (8) Inserting an effective date of July 1, 2040, 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 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 S.B. No. 2120, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2120, 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, 3. Noes, 1 (Awa). Excused, 1 (McKelvey).

Agriculture and Environment: Ayes, 3. Noes, 1 (Awa). Excused, 1 (DeCoite).

SCRep. 2625 Commerce and Consumer Protection on S.B. No. 2874

The purpose and intent of this measure is to establish a non-refundable income tax credit for residential landlords who lease a unit to a tenant with a pet for at least six months.

Your Committee received testimony in support of this measure from the Hawaiian Humane Society, Hawai'i State Coalition Against Domestic Violence, Kaua'i Humane Society, and eighteen individuals.

Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the companionship of a pet is a joy and privilege for many residents in the State. Research has shown that human-animal companionship can lead to a reduction in stress, anxiety, depression, and loneliness for pet owners. However, your Committee finds that for many, especially low-income families and houseless persons, the lack of available pet-friendly housing has been a significant challenge. Therefore, this measure will provide an income tax credit to incentivize landlords to provide pet-friendly housing, improving the lives and futures of both pets and pet families.

Notwithstanding, your Committee notes the testimony of the Department of Taxation, and finds that amendments to this measure are necessary to address the Department's concerns.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that in the case of a partnership, S Corporation, estate, or trust, the tax credit shall be determined at the entity level;
- (2) Clarifying that only one qualified taxpayer may claim the tenant pet income tax credit per unit rented;
- (3) Changing this measure to apply to taxable years beginning after December 31, 2024;
- (4) Inserting an effective date of July 1, 2040, 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. 2874, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2874, 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. 2626 (Joint) Commerce and Consumer Protection and Energy, Economic Development, and Tourism on S.B. No. 3234

The purpose and intent of this measure is to:

- (1) Amend the laws relating to the Hawaii Hurricane Relief Fund and Hawaii Property Insurance Association;
- (2) Expand the Hawaii Property Insurance Association's authority to include the issuance of property insurance other than fire insurance for certain real properties organized as a condominium;
- (3) Reinstate the special mortgage recording fee;
- (4) Explicitly authorize the Hawaii Property Insurance Association to issue property insurance policies to certain condominiums outside of areas designated for coverage by the Hawaii Property Insurance Association;
- (5) Mandate that the Hawaii Property Insurance Association member insurers recoup assessment costs; and
- (6) Amend specific coverage limits, fund capitalization amounts, and assessment percentages by deleting specified dollar amount percentages and authorize the Hawaii Hurricane Relief Fund and the Hawaii Property Insurance Association boards to recommend appropriate amounts and percentages to the Insurance Commissioner.

Your Committees received testimony in support of this measure from the Hawaii Green Infrastructure Authority, Hawaii Insurers Council, Hawaii Bankers Association, Palehua Townhouse Association, Hawaii First Realty LLC, and one individual.

Your Committees received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs.

Your Committees find that the availability of both condominium building master insurance policies and unit owner insurance policy options within the condominium insurance marketplace has been shrinking, leaving many associations faced with the difficult choice of either paying drastically higher premiums or allowing their condominium buildings to be under-insured. Your Committees further find that temporary government assistance is necessary to help stabilize the property insurance market until market conditions improve and risks become more insurable, as condominiums replace or maintain building components such as aging water pipe systems, and implement equipment and processes to mitigate against fire, wildfire, and hurricane events. Therefore, this measure enables the Hawaii Property Insurance Association and the Hawaii Hurricane Relief Fund to underwrite certain insurance risks in the State that no standard insurer is willing to underwrite.

Your Committees have amended this measure by:

- (1) Clarifying that each property and casualty insurer shall annually recoup assessments paid by the property and casualty insurer under sections 431P-5(b)(8)(A) and (B), and 431P-16(e), Hawaii Revised Statutes (HRS);
- (2) Restoring language in existing law regarding the Hawaii Hurricane Relief Fund's powers to assess insurers following a loss from a covered event known as the second assessment, including language that:

- (A) Allows the Fund to increase the rate of assessment to an amount not to exceed five per cent, and to include the insurer's gross direct written premiums for motor vehicle insurance in this State;
- (B) Requires the Fund to assess insurers that acted as servicing facilities during the twelve months ending at the start of the month preceding the month in which the covered event occurs at a rate of 1.5 percent of the total coverage provided by the Fund under its hurricane property insurance policies;
- (C) Sets forth how the second assessment is administered; and
- (D) Allows certain net accumulated moneys, commitments, and bonds to be used if losses from a covered event exceed the assessment pursuant to section 431P-5(b)(8)(B), HRS, rather than 431P-5(b)(8)(A), HRS; and
- (3) Deleting language that would have placed a cap on the surcharge levied by the Hawaii Hurricane Relief Fund at two percent, and restoring language in existing law that places a cap of seven and one-half percent a year;
- (4) Inserting an effective date of July 1, 2040, 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 Commerce and Consumer Protection and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3234, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3234, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5; Ayes with Reservations (Fukunaga). Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 4; Ayes with Reservations (Fukunaga). Noes, none. Excused, 1 (Fevella).

SCRep. 2627 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on S.B. No. 2364

The purpose and intent of this measure is to establish a Plant-Based Building Materials Working Group to study how best to grow plants for the development of plant-based building materials in Hawaii and provide green agricultural jobs while sequestering carbon and other greenhouse gases to help achieve the State's climate target.

Your Committees received testimony in support of this measure from the Department of Agriculture, Hawai'i Climate Change Mitigation and Adaptation Commission, Hawai'i Forest Industry Association, Hawai'i Reef and Ocean Coalition, Citizens' Climate Lobby Hawaii, Building Decarbonization Task Force of the Hawai'i Environmental Change Agents, Hawai'i Farm Bureau, and nine individuals.

Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that Hawaii's tropical climate, with a year-round growing season and ample rain in many windward areas, offers the potential for growing plant-based materials that can, in turn, be processed into and sold as structural building materials. Your Committees further find that the production of plant-based materials could increase green agricultural jobs statewide, while concurrently helping the State meet its ambitious decarbonization goals. Therefore, this measure establishes the Plant-Based Building Materials Working Group to conduct a study and report on the best practices and implementation strategies for plant-based building material production in the State.

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. 2364 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Awa).

Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Wakai).

SCRep. 2628 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on S.B. No. 2936

The purpose and intent of this measure is to appropriate \$5,000,000 to the Department of Agriculture for the planning and construction of a new inspection, quarantine, and incineration facility on the island of Maui.

Your Committees received testimony in support of this measure from the Hawai'i Farm Bureau.

Your Committees received comments on this measure from the Department of Agriculture.

Your Committees find that in the wake of the August 2023 Maui wildfires, rebuilding the community of Lahaina will require the remediation and replacement of tons of topsoil that was contaminated by toxic ash. Your Committees further find that the sheer amount of replacement plant material necessary to facilitate the community rebuild will be immense, and immediately requires additional resources and facilities to handle all the incoming materials, goods, and equipment. Therefore, this measure appropriates \$5,000,000 to the Department of Agriculture for the planning and construction of a new inspection, quarantine, and incineration facility on the island of Maui, to support and expedite the rebuilding efforts.

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. 2936 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Awa).

Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Wakai).

SCRep. 2629 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on S.B. No. 2079

The purpose and intent of this measure is to allow the State of Hawaii Plant and Animal Declaration Form to be distributed, completed, and transmitted electronically.

Your Committees received testimony in support of this measure from the Hawai'i Farm Bureau.

Your Committees received comments on this measure from the Department of Agriculture.

Your Committees find that many plants and animals from elsewhere in the world can be harmful to Hawaii's unique environment, agriculture, and communities. To help prevent harmful pests from being brought into the State, a Hawaii Plant and Animal Declaration Form is required to be distributed to and collected from individuals, passengers, and crew of any flight or cruise prior to the debarkation of passengers and baggage. Your Committees further find that the existing law, as written, is ambiguous as to whether electronic forms can be used for the purposes of transmitting the Hawaii Plant and Animal Declaration Form. Therefore, this measure amends the law to clarify that the Hawaii Plant and Animal Declaration Form may be distributed, completed, and transmitted electronically.

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. 2079 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Awa).

Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Wakai).

SCRep. 2630 Health and Human Services on S.B. No. 3011

The purpose and intent of this measure is to:

- (1) Make it unlawful for any non-government entity or agent thereof to operate a weed whacker in or within one hundred feet of a residential zone, except between 8:00 a.m. and 6:00 p.m. on most days; and
- (2) Define weed whacker.

Your Committee received testimony in support of this measure from five individuals.

Your Committee received comments on this measure from the Department of Health and two individuals.

Your Committee finds that the sound from weed whackers poses a public health concern for the State. As the loud noises from weed whackers may disrupt the peace in residential neighborhoods, restricting the usage of weed whackers to certain times of day may alleviate sound nuisances and the negative health consequences that can result therefrom. Therefore, this measure limits the hours of permissible weed whacker usage to address public health concerns in Hawaii's neighborhoods.

Your Committee has amended this measure by:

- (1) Extending the permissible time frame until 7:00 p.m., rather than 6:00 p.m.; 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. 3011, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3011, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Keohokalole). Noes, none. Excused, 1 (Awa).

SCRep. 2631 Health and Human Services on S.B. No. 3001

The purpose and intent of this measure is to:

- (1) Appropriate funds to increase the funding for applied behavioral analysis services for persons with autism; and
- (2) Require the Department of Human Services to obtain maximum federal matching funds and pursue all other funding sources.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board; BAYADA; Hawai'i Association for Behavior Analysis; Behavioral and Therapeutic Services of Hawaii; Behavior Analysis No Ka Oi, Inc.; Hawaii Disability Rights Center; Hawai'i Early Intervention Coordinating Council; Mau Loa Learning, LLC; Early Childhood Action Strategy; Horizons Academy of Maui; Maui Learning Academy; Autism Behavior Consulting Group Hawaii; and fifty-eight individuals.

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

Your Committee finds the applied behavioral analysis (ABA) is a medically necessary service for young people with autism, which can decrease the cost of care for persons with autism over their lifetimes. Your Committee further finds that the Med-QUEST reimbursement rates for applied behavioral analysis have remained unchanged since 2015. Med-QUEST beneficiaries must compete for applied behavioral analysis services with the private sector and other government programs, often offering higher reimbursement

rates. This measure increases funding for the Department of Human Services' Med-QUEST Division to better serve children with autism and their families.

Your Committee notes the testimony of the Department of Human Services reflecting the results of its commissioned rate study for ABA services, which includes low, medium, and high rate scenarios for consideration. The low scenario would require \$6.5 million (\$2.69 million state funds and \$3.81 million federal), the medium scenario would require \$7.8 million (\$3.23 million state funds and \$4.57 million federal), and the high scenario would require \$9.4 million (\$3.9 million state and \$5.5 million federal). The Department of Human Services further requests that alternatively, any appropriation be included in the executive budget bill so that the appropriation can be recurring and the increase ongoing. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that these matters be considered further.

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. 3001, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3001, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2632 Government Operations on S.B. No. 2517

The purpose and intent of this measure is to:

- (1) Require that appointments of heads of agencies requiring board appointments be made through a publicly established process and timeline; and
- (2) Require that any vote by a public agency board to hire an officer or employee be conducted in an open meeting.

Your Committee received comments on this measure from the Office of Information Practices, Board of Regents of the University of Hawaii, and Public First Law Center.

Your Committee recognizes that applicants for employment retain certain privacy rights that justify the use of closed executive session under the Sunshine Law, as the Hawaii Supreme Court and Office of Information Practices have recognized. Your Committee further finds that both the Hawaii Supreme Court and Office of Information Practices have determined that the balancing test between the public interest and an individual's privacy interest under the Uniform Information Practices Act does not apply to the Sunshine Law's executive session provision, which authorizes a board to discuss certain personnel matters in closed session where matters affecting privacy are involved.

Your Committee finds, however, that in some instances, such as the hiring of the head of an agency or division, there is an elevated public interest that makes it appropriate for the Legislature to ensure a statutory minimum level of public accountability in the hiring process and the actual decision to hire. Your Committee believes that this measure will set a minimum level of accountability with respect to a certain class of top level state employees, and will not impact county hiring decisions or interfere with the rights of employees subject to collective bargaining agreements or the civil service system. This measure clarifies that a board that is hiring a head of a state agency or division must openly create a hiring process and follow that process, openly amend it when necessary, and require that the process, at a minimum, include holding a public vote on who to hire for the position without adversely impacting individual privacy rights or frustrating government efforts to recruit qualified candidates by identifying individuals being considered for a position who may not be ultimately hired.

Your Committee recognizes that the Legislature is exempt from the Sunshine Law under section 92-10, Hawaii Revised Statutes, and therefore, this measure will not apply to the Senate's use of advice and consent for appointments, even when those appointments are made by a board subject to the Sunshine Law rather than by the Governor as is usually the case.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that:
 - (A) A public agency board shall use open deliberation in an open meeting to establish a process and timeline for the appointment or selection of a new head of a division or agency of the State;
 - (B) Approval of the process and timeline to appoint or select a new head of a division or agency shall be determined in an open meeting;
 - (C) Any vote to appoint or select a head of a division or agency of the State shall be conducted in an open meeting; and
 - (D) Any appointment or selection of a head of any division or agency of the State made in violation of these requirements shall be invalid; and
- (2) Making 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. 2517, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2517, 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 (Wakai, Awa).

SCRep. 2633 Government Operations on S.B. No. 2830

The purpose and intent of this measure is to amend the definitions of “board”, “board business”, and “meeting” within the state’s Sunshine Law to expand the scope of the law to include state and county policymaking groups, including groups created by emergency proclamations.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii; Society of Professional Journalists, Hawaii Chapter; and one individual.

Your Committee received comments on this measure from the Office of Information Practices, Board of Regents of the University of Hawaii, and Public First Law Center.

Your Committee finds that existing law does not make it clear whether groups created by emergency proclamation are subject to the Sunshine Law. This measure will increase access to government and opportunities for public participation by clarifying that the Sunshine Law’s application to boards created by executive order also includes those created by emergency proclamation.

Your Committee notes that the intent of this measure is not to target businesses. Rather, the information being exchanged and deliberated is of critical public importance, especially in times of disasters, and these groups hold incredible sway that will potentially impact county spending and policy.

Your Committee has amended this measure by inserting language clarifying that, as used in the state Sunshine Law, “board” includes state boards and policymaking groups established pursuant to any federal constitutional provision.

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. 2830, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2830, 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 (Gabbard, Wakai).

SCRep. 2634 Public Safety and Intergovernmental and Military Affairs on S.B. No. 3068

The purpose and intent of this measure is to appropriate funds to support the State’s continued response to the August 2023 Maui wildfires that affected the counties of Hawaii and Maui.

Your Committee received testimony in support of this measure from the Department of Budget and Finance, Department of Defense, Hawai’i State Public Library System, Hawaii Housing Finance and Development Corporation, Democratic Party of Hawai’i, and one member of the Maui County Council.

Your Committee finds that the devastating wildfires brought on by winds from Hurricane Dora on August 8, 2023, resulted in one of the worst natural disasters in the State’s history, causing loss of life and the displacement of thousands on Maui. Your Committee further finds that to support response and recovery efforts and address immediate 2023 wildfire funding needs, the Governor and other departments and agencies transferred millions of dollars to allow the State to address response and recovery expenses incurred thus far without cutting positions and departmental base budgets. This measure will continue the necessary activities of the state response to these wildfires by appropriating and reauthorizing funds relating to wildfire mitigation and response.

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. 3068 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, Awa).

SCRep. 2635 Public Safety and Intergovernmental and Military Affairs on S.B. No. 3040

The purpose and intent of this measure is to amend annual reporting requirement for the Department of the Attorney General concerning firearms concealed carry licenses.

Your Committee received testimony in support of this measure from the Department of the Attorney General and Honolulu Police Department.

Your Committee received testimony in opposition to this measure from the Hawaii Firearms Coalition, Red Letter Industries, and over sixty individuals.

Your Committee finds that current reporting and analysis of demographic information of conceal carry license applicants and licensees include age, gender, and race, which creates potential for unintended biases during the licensure process. Your Committee further finds that extending the date for county police departments to provide gun licensure data to the Department of the Attorney General and removing the deadline for the Department of the Attorney General to publish its annual report will allow for a comprehensive and accurate reporting. This measure will reduce potential bias while maintaining a report that can be utilized by policy makers, researchers, educators, and the public interested in laws regulating the ownership or use of firearms.

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. 3040 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 (Fukunaga, Awa).

SCRep. 2636 Public Safety and Intergovernmental and Military Affairs on S.B. No. 3042

The purpose and intent of this measure is to:

- (1) Amend the Criminal Justice Data Sharing Working Group to combine its members and functions with certain members and functions of the Gun Violence and Violent Crimes Commission to increase efficiency and effectiveness and eliminate redundancy; and
- (2) Repeal chapter 134C, Hawaii Revised Statutes, which established the Gun Violence and Violent Crimes Commission.

Your Committee received testimony in support of this measure from the Department of Law Enforcement and Department of the Attorney General.

Your Committee received testimony in opposition to this measure from Red Letter Industries, Hawaii Firearms Coalition, and fifty-two individuals.

Your Committee received comments on this measure from two individuals.

Your Committee finds that there are several working groups and commissions that focus on gun violence, violent crime, and criminal data sharing, including the Governor's Commission on Crime, Criminal Justice Data Sharing Working Group, and Gun Violence and Violent Crimes Commission. Your Committee notes that each of these groups' purposes have some overlap with one another, and the membership of these working groups and commissions all include the county prosecutors, county police chiefs, and the Attorney General. Particularly similar are the Gun Violence and Violent Crime Commission and Criminal Justice Data Sharing Working Group, which are duplicative in function and mission. Your Committee further finds this redundancy can be resolved by merging the Commission and Working Group to consolidate their efforts and streamline the vital research these groups conduct.

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. 3042 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 (Fukunaga, Awa).

SCRep. 2637 Public Safety and Intergovernmental and Military Affairs on S.B. No. 3349

The purpose and intent of this measure is to:

- (1) Establish the Office of Gun Violence Prevention within the Department of the Attorney General for administrative purposes only;
- (2) Repeal the Gun Violence and Violent Crimes Commission; and
- (3) Make an appropriation.

Your Committee received testimony in support of this measure from Moms Demand Action for Gun Sense in America Hawai'i Chapter, Students Demand Action for Gun Sense in America Hawai'i Chapter, Everytown for Gun Safety, and twenty-three individuals.

Your Committee received testimony in opposition to this measure from the Department of the Attorney General; Tigershark, LLC; Red Letter Industries; National Rifle Association; and more than seventy-five individuals.

Your Committee received comments on this measure from the Honolulu Police Department and two individuals.

Your Committee finds that the State has some of the strongest gun safety laws in the nation and had the third lowest number of gun deaths per capita in the nation as of 2021. While this data is an achievement, your Committee finds that there is no office dedicated to gun violence prevention. Your Committee notes that the State is dedicated to protecting the safety and well-being of its residents, therefore, establishing an office to focus on gun violence prevention is necessary to achieve this goal.

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 \$150,000 for fiscal year 2024-2025 for one full-time equivalent (1.0 FTE) director, one full-time equivalent (1.0 FTE) grant writer position, one full-time equivalent (1.0 FTE) analyst position, and operating costs and equipment, including equipment necessary for analyzing relevant data relating to gun violence.

Your Committee has amended this measure by:

- (1) Inserting an unspecified appropriation amount;
- (2) Inserting an effective date of January 1, 2042, 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. 3349, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3349, 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 (Fukunaga, Awa).

SCRep. 2638 Public Safety and Intergovernmental and Military Affairs on S.B. No. 3196

The purpose and intent of this measure is to:

- (1) Amend the prohibition on certain assault weapons to include assault rifles, assault shotguns, .50 caliber rifles, and assault weapon attachments;
- (2) Modernize the prohibition on assault pistols to include pistols with one or more prohibited feature;
- (3) Expand the ban on pistols with a detachable magazine with over a ten round capacity to any firearm with a detachable magazine with over a ten round capacity;
- (4) Prohibit persons from bringing or causing to be brought into the State an assault rifle or assault shotgun;
- (5) Prohibit the sale or transfer of an assault rifle or assault shotgun in the State, unless the assault rifle or assault shotgun is sold or transferred to an authorized individual; and
- (6) Create exceptions for the acquisition and possession of prohibited firearms for members of law enforcement and the military.

Your Committee received testimony in support of this measure from two members of the Hawai'i County Council, GIFFORDS Law Center to Prevent Gun Violence, Everytown for Gun Safety, Hawai'i Chapters of Mom's Demand Action, Students Demand Action for Gun Sense in America, Everytown Veterans Advisory Council, Brady Campaign to Prevent Gun Violence, Hawai'i Coalition to Prevent Gun Violence, Hawai'i Friends of Civil Rights, Hawai'i State Coalition Against Domestic Violence, Indivisible Hawaii, Moms Demand Action for Gun Sense in America, Church of the Crossroads, and over one hundred individuals.

Your Committee received testimony in opposition to this measure from the National Rifle Association; Hawaii Firearms Coalition; Hawaii Rifle Association; Hawaii Federation of Republican Women; Pu'uloa Rifle and Pistol Club; Epowersports; Tigershark, LLC; Young Guns; S. Tokunaga Store Inc.; Mid-Pacific Pistol League; Security Equipment Corp.; Red Letter Industries; Koffin Wurks; Kona Guns and Ammo, LLC; and over one thousand eighty individuals.

Your Committee received comments on this measure from six individuals.

Your Committee finds that the State has some of the strongest gun safety laws in the nation, and in 2023 the State received an A-minus rating from the Giffords Law Center to Prevent Gun Violence. While the State had the third lowest number of gun deaths per capita in the nation in 2021, Hawaii is the only State with an assault weapons ban that fails to ban assault rifles and assault shotguns. Your Committee finds this fact is inconsistent with the State's commitment to protect the safety and well-being of its residents. Accordingly, this measure will modernize the State's assault weapon's ban to expand gun violence prevention policies.

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. 3196 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 (Fukunaga, Awa).

SCRep. 2639 (Joint) Commerce and Consumer Protection and Transportation and Culture and the Arts on S.B. No. 2617

The purpose and intent of this measure is to:

- (1) Prohibit foreign principals from acquiring real property in the State or any interest in real property in the State, except a de minimus indirect interest;
- (2) Require a foreign principal that owns real property that was acquired before this measure's effective date to register the ownership with the Department of the Attorney General;
- (3) Require a buyer of real property to provide a signed affidavit attesting that the buyer is not a foreign principal;
- (4) Authorize the forfeiture of real property or an interest in real property that is owned or acquired unlawfully;
- (5) Establish criminal penalties for violations; and
- (6) Make an appropriation.

Your Committees received testimony in support of this measure from Ho'omana Pono, LLC; Ho'ākeolapono Trades Academy and Institute; Ultimate Burger; Hawaii Federation of Republican Women; Palolo Tenant Association; Hawaii Family Advocacy Group; Cannabis Society of Hawai'i; Hālau Kū Māna; Hui o Kuapa; and more than two thousand one hundred individuals.

Your Committees received testimony in opposition to this measure from the Department of the Attorney General; NAIOP Hawaii; Hawaii First Realty LLC; Hawai'i Association of REALTORS; Biotechnology Innovation Organization; Maukele Ranch LLC; and fifteen individuals.

Your Committees received comments on this measure from the Division of Financial Institutions of the Department of Commerce and Consumer Affairs, Department of Land and Natural Resources, Hawaii Credit Union League, Building Owners and Managers Association of Hawai'i, and eighteen individuals.

Your Committees find that homeownership helps build strong and stable communities, which is critical to local economies. However, due to the lack of affordable options, your Committees find that the State is in a housing crisis, and that competition from affluent foreign principals has denied many Hawaii residents from realizing the benefits of homeownership. Therefore, this measure, in its current form, would prohibit foreign principals from acquiring real property in the State or any interest in real property in the State, except a de minimus indirect interest.

Notwithstanding, your Committees acknowledge the concerns raised by testifiers that the legally and socially complicated framework proposed in this measure deserves further consideration and study. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and inserting language to direct the Legislative Reference Bureau to conduct a study and report on the forty-one other states that have enacted laws limiting the sale of property to foreign individuals or entities, and how those laws and related constitutional precedents could inform demand-side regulations for the real estate market in Hawaii in favor of resident ownership, specifically owner-occupied resident ownership;
- (2) Inserting an effective date of July 1, 2040, 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 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. 2617, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2617, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (Richards).

Transportation and Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2640 (Majority) Transportation and Culture and the Arts on S.B. No. 2037

The purpose and intent of this measure is to:

- (1) Designate the day of the second new moon after the winter solstice of every year as the Lunar New Year; and
- (2) Establish the Lunar New Year as a state holiday.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO and one individual.

Your Committee received comments on this measure from the Department of Budget and Finance, Office of Collective Bargaining, and City and County of Honolulu Department of Human Resources.

Your Committee finds that the Lunar New Year provides a time to renew one's family ties; reflect upon the past year; and wish for good fortune, health, and prosperity in the year ahead. As Lunar New Year is joyously observed by numerous residents in the State, your Committee believes that the State should recognize the cultural and historical significance of this holiday. By establishing the Lunar New Year as a state holiday in Hawaii, the State can honor its rich cultural history, demonstrate its commitment to cultural diversity, and extend its best wishes for peace and prosperity to all who celebrate this important occasion.

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.

Your Committee notes that there was testimony regarding collective bargaining issues that may arise from the addition of an official state holiday.

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. 2037, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2037, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Inouye). Noes, 1 (Awa). Excused, none.

SCRep. 2641 (Joint) Transportation and Culture and the Arts and Labor and Technology on S.B. No. 2894

The purpose and intent of this measure is to require the Department of Transportation to establish a State Employee Commuter Benefits Program that provides free or subsidized public transit to state employees.

Your Committees received testimony in support of this measure from the Department of Transportation, Hawai'i Climate Change Mitigation and Adaptation Commission, Hawai'i State Energy Office, one member of the Kaua'i County Council, Oahu Metropolitan Planning Organization, Ulupono Initiative, Hawai'i Appleseed Center for Law and Economic Justice, and four individuals.

Your Committees received comments on this measure from the Department of Health.

Your Committees find that emissions from private vehicles account for twenty-eight percent of all greenhouse gas emissions in the country. Your Committees further find that the State has a responsibility to lead in the decarbonization transition and should encourage the utilization of public transportation that encourages fuel efficiency per passenger mile and contributes to an overall decrease in the necessary amount of energy for transportation. This measure will help commuters save money on fuel, insurance, parking, and vehicle maintenance costs, while also reducing the traffic and air pollution by encouraging commuters to take public transit. However, rather than establishing a new program, your Committees note that further developing an existing employee commuter benefits program would streamline processes and make it easier for employees to apply for the benefits provided under the existing program.

Your Committees have amended this measure by:

- (1) Deleting its contents and inserting language requiring the Department of Human Resources Development to include bikeshare and other micro-mobility devices within the Pre-tax Transportation Benefit Pilot Program's commuter benefits;
- (2) Adding the definition of "micro-mobility device"; and
- (3) 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 Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2894, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2894, 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, none. Excused, 2 (Inouye, Awa).

Labor and Technology: Ayes, 5. Noes, none. Excused, none.

SCRep. 2642 (Joint) Transportation and Culture and the Arts and Labor and Technology on S.B. No. 2943

The purpose and intent of this measure is to:

- (1) Establish a working group within the Department of Transportation to address the workforce shortage of commercial drivers license drivers in the State; and
- (2) Require a report to the Legislature.

Your Committees received testimony in support of this measure from the Hawaii Food Industry Association and Hawaii Logistic Services.

Your Committees received comments on this measure from the Department of Education.

Your Committees find that commercial drivers license (CDL) holders play a pivotal role in moving shipments from docks and airports to shelves, as storage space is limited within the State. However, Hawaii grapples with a shortage of CDL drivers, a challenge mirrored on the continental United States. Your Committees further find that this scarcity in the number of CDL drivers directly impacts the State's education system, where over two hundred additional CDL drivers are required to fully cover school bus routes statewide, causing some students to ride public transit. Due to the critical role that CDL drivers play in the State's infrastructure, this measure will establish a working group to address the scarcity and availability of CDL drivers.

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 Transportation and Culture and the Arts and Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2943, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2943, 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, none. Excused, 2 (Inouye, Awa).

Labor and Technology: Ayes, 5. Noes, none. Excused, none.

SCRep. 2643 Water and Land on S.B. No. 3167

The purpose and intent of this measure is to authorize the Governor to execute a compact on behalf of the State to cooperate in the Pacific States Marine Fisheries Commission.

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 Big Island Reef Keepers Hui and three individuals.

Your Committee finds that the Pacific States Marine Fisheries Commission is an interstate compact agency that helps state resource management agencies and the fishing industry sustainably manage Pacific Ocean resources. The Pacific State Marine Fisheries Commission's mission "to promote the better utilization of fisheries—marine, shell, and anadromous, which are of mutual concern, and to develop a joint program of protection and prevention of physical waste of such fisheries in all of those areas of the Pacific Ocean over which the compacting states jointly or separately now have or may hereafter acquire jurisdiction" closely aligns with the mission of the Department of Land and Natural Resources to manage, conserve, and restore the State's unique aquatic resources and ecosystems for present and future generations. This measure will allow the State to be a valuable contributor toward the mutual goal of better managing Pacific Ocean fishery resources.

Your Committee has amended this measure by:

- (1) Requiring that at least one commissioner appointed to the Pacific State Marine Fisheries Commission have knowledge of Native Hawaiian cultural and fishing practices and shall serve as a representative of the Native Hawaiian fishing community;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making a 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. 3167, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3167, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2644 (Joint) Water and Land and Commerce and Consumer Protection on S.B. No. 3258

The purpose and intent of this measure is to require the Department of Land and Natural Resources (Department) to:

- (1) Consider certain insurance coverage in conducting safety inspections relating to dam and reservoir safety;
- (2) Relax any restrictions and stringent standards on a dam or appurtenance upon verification of certain insurance coverage;
- (3) Assume that a dam, reservoir, or appurtenance is safe absent certain documents;
- (4) Place the burden of proof on the Department to find that a dam, reservoir, or appurtenance is high-risk; and
- (5) Establish additional requirements for the Department and Board of Land and Natural Resources regarding the Dam and Appurtenance Improvement or Removal Grant Program.

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 Land and Natural Resources and Association of State Dam Safety Officials.

Your Committees find that while dam and reservoir safety rules represent an important public safety initiative, the rules codified in chapter 179, Hawaii Revised Statutes, are stringent and reduce water storage capacity across the State. Dams and reservoirs are critical to the State's goal of food security as they help to recharge groundwater aquifers and are foundational to sustainable agricultural systems. Stringent regulations discourage dam and reservoir owners from the construction and maintenance of this critical infrastructure, which in turn burdens farmers who rely on these dams and reservoirs. This measure helps to relieve the burden on dam and reservoir owners and farmers by relaxing current rules on dam and reservoir safety.

Your Committees acknowledge the concerns raised by the Department that the purchase of an insurance policy should not be considered in the risk assessment of a dam or reservoir, nor should it be used as a criteria to relax dam and reservoir safety requirements. Furthermore, the Department comments that this measure may encourage owners of dams and reservoirs to purchase insurance policies in lieu of complying with safety standards, potentially harming public health and safety.

Accordingly, your Committees have amended this measure by:

- (1) Deleting language that would have required the Department to consider certain insurance coverage in conducting safety inspections relating to dam and reservoir safety;
- (2) Deleting language that would have placed the burden of proof on the Department to establish that a dam, reservoir, or appurtenance is high-risk;
- (3) Deleting language that would have required the Department to assume that any dam, reservoir, or appurtenance is safe in the absence of certain documents;
- (4) Deleting language that would have required the Department to relax any restrictions and stringent standards on a dam, reservoir, or appurtenance; provided that the owner possessed valid insurance coverage;
- (5) Deleting language that would have required the Board of Land and Natural Resources to consider any existing insurance policy in its assessment of risks associated with a dam;
- (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 Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3258, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3258, 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).
Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

SCRep. 2645 (Joint/Majority) Water and Land and Commerce and Consumer Protection on S.B. No. 3326

The purpose and intent of this measure is to:

- (1) Define property owner obligations, which, in limited circumstances will authorize Hawaii's utility companies to either trim or remove hazardous vegetation away from transmission utility lines, distribution utility lines, and service drops, even if the hazardous vegetation is located outside an established easement;
- (2) Provide a recovery mechanism to recoup the additional vegetation management costs; and
- (3) Limit liability against Hawaii's utility companies who perform, or who choose not to perform, vegetation management as authorized under this measure.

Your Committees received testimony in support of this measure from Hawaiian Electric and one individual.

Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources and one individual.

Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, and one individual.

Your Committees find that on August 8, 2023, catastrophic wildfires swept through various communities on Maui, impacting human life, housing, education, the economy, the environment, and the health of Maui residents. Your Committees further find that a significant issue regarding fire safety is the presence of grasses, trees, and other vegetation adjacent to or under electric utility lines. Utility companies in Hawaii have miles of utility lines installed throughout the State on private lands, either within or outside established utility easements on public lands, which are often located in the public right of way and mountainous areas of the State. This measure establishes a vegetation management program for utility lines within public rights of way and on all public and private lands to mitigate risks of wildfires.

Your Committees acknowledge concerns raised by the Public Utilities Commission in their testimony that:

- (1) It may not be in the public interest to allow an electric utility company to enter public or private property to remove hazardous vegetation; and
- (2) Utility companies must be held accountable for their actions and decision-making and should not be fully shielded from liability for certain damages to other vegetation and property caused during the utility's removal of hazardous vegetation.

Accordingly, your Committees have amended this measure by:

- (1) Deleting language that would have allowed any utility company to enter private or public property without notice to remove hazardous vegetation;
- (2) Specifying that utility companies shall give forty-eight hours' notice to private and public landowners that hazardous vegetation must be trimmed or removed as soon as feasibly possible;
- (3) Specifying that after trimming or removing the hazardous vegetation, the utility company shall notify the private or public property owner within two days of having taken action rather than fourteen days;
- (4) Specifying that utility companies shall notify private or public property owners by phone or email or if both are unobtainable, by certified mail;
- (5) Inserting language that requires utility companies to report to the Public Utilities Commission on all notices issued to private or public property owners on a schedule determined by the Public Utilities Commission;
- (6) Deleting language that would have granted immunity from liability to any utility company that damaged other vegetation or property while trimming or removing hazardous vegetation on a private or public property owner's land;
- (7) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water and Land and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3326, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3326, 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, 3. Noes, none. Excused, 2 (Chang, Fevella).

Commerce and Consumer Protection: Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 2646 Transportation and Culture and the Arts on S.B. No. 1119

The purpose and intent of this measure is to:

- (1) Specify that 0.5 per cent, rather than one per cent, of state fund appropriations for capital improvements shall be transferred into the Works of Art Special Fund; and
- (2) Limit the 0.5 per cent amount to appropriations designated for the construction of new state buildings, properties, or facilities.

Prior to the hearing on this measure your Committee posted and made available for public review a proposed S.D. 1, which deletes the contents of the measure and inserts language to appropriate funds for the purpose of engaging the community and developing plans for a potential future memorial, monument, or other appropriate means to properly honor and respectfully recognize the memory of those who lost their lives or were impacted by the August 2023 Maui wildfires.

Your Committee received testimony in support of the proposed S.D. 1 from the Hawai'i State Foundation on Culture and the Arts and two individuals.

Your Committee finds that an art installation is an effective method to memorialize significant moments and events in time. Monuments like the Holocaust Memorial, Tomb of the Unknown Soldier, and Vietnam Veterans Memorial all recognize and commemorate the significant losses of life in the past. Your Committee recognizes the need to properly honor and respectfully recognize the memory of those who lost their lives or were impacted by the August 2023 Maui wildfires. Accordingly, this measure will provide funds for a potential place where residents can remember and grieve as a community.

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 S.B. No. 1119, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1119, 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. 2647 Transportation and Culture and the Arts on S.B. No. 2710

The purpose and intent of this measure is to establish the Hawaii Leadership Awards Program to honor individuals who have made considerable and outstanding contributions to Hawaii and serve as inspirations to others.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services; Department of Business, Economic Development, and Tourism; Hawai'i State Foundation on Culture and the Arts; and one individual.

Your Committee finds that the Aloha Order of Merit was established to recognize individuals who have made significant contributions and achieved national or international recognition 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. Your Committee further finds that while the Aloha Order of Merit honors individuals who have made national and international contributions and achieved recognition, there should be a similar program to honor individuals who have made their mark on Hawaii. This measure will honor exceptional and notable individuals specifically for their contributions to Hawaii.

Your Committee has amended this measure by:

- (1) Adding language authorizing designees of the selection committee to present the annual awards;
- (2) Adding language that would establish an archive to commemorate these awards to be housed within the State Archives; 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. 2710, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2710, 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. 2648 (Majority) Transportation and Culture and the Arts on S.B. No. 2742

The purpose and intent of this measure is to appropriate funds to establish the greener highway corridors pilot project to improve the H-1 freeway corridor with greenery.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawai'i Climate Change Mitigation and Adaptation Commission, Trees for Honolulu's Future, and two individuals.

Your Committee finds that urban temperatures are expected to rise significantly, particularly due to the loss of shade and increase in concrete in urban areas. Increased urban temperatures can potentially lead to heat exhaustion and death, especially among vulnerable members of the community. Your Committee further finds that the difference in temperatures on an urban street having trees and cooling strategies versus one not having trees and cooling strategies can be as much as fifteen to twenty degrees on a hot day. This measure will mitigate the effects of rising temperatures and will ultimately reduce potential future financial burden due to climate change. Your Committee recognizes that the unique challenges posed by each freeway in the State means that one pilot project is necessary.

Your Committee has amended this measure by:

- (1) Inserting language in the pilot project on Interstate H-1 to include green programming in limited spaces;
- (2) Adding language to establish a pilot project to implement reforestation programming on Interstate H-2;
- (3) Adding language to establish a pilot project to implement green programming on Interstate H-201;
- (4) Adding language to establish a working group to develop projects and define best practices to achieve temperature reduction, carbon capture, and habitat restoration; and improve mental health and beautification of commuter corridors; and minimize maintenance of those projects and practices over time;
- (5) Deleting the appropriation;
- (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 S.B. No. 2742, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2742, 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. 2649 Transportation and Culture and the Arts on S.B. No. 3281

The purpose and intent of this measure is to:

- (1) Require that the State of Hawaii Museum of Natural and Cultural History and the State of Hawaii Museum of Monarchy History boards of directors include two ex officio, voting members, to be selected from certain state agencies;
- (2) Require the State of Hawaii Museum of Natural and Cultural History to submit an annual report to the Legislature; and
- (3) Establish standards and conditions that the State of Hawaii Museum of Natural and Cultural History must meet to receive state funds.

Your Committee received testimony in support of this measure from the Bishop Museum and Donkey Mill Art Center.

Your Committee received comments on this measure from the Friends of Iolani Palace and Kahilu Theatre Foundation.

Your Committee finds that, pursuant to Act 398, Session Laws of Hawaii 1988, the Bernice Pauahi Bishop Museum was designated as the State of Hawaii Museum of Natural and Cultural History and, pursuant to Act 291, Session Laws of Hawaii 2007, the Friends of Iolani Palace was designated as the State of Hawaii Museum of Monarchy History. Your Committee further finds that the intent of these designations was to provide the museums with a reliable funding source so that they would no longer be dependent on grants and private donations. Since both museums received millions of dollars in state funding in 2022, your Committee believes that there needs to be increased transparency and established standards within the operation of the museums to ensure that the operations of the museums are in alignment with the State's vision.

Your Committee has amended this measure by:

- (1) Adding language to include two ex officio non-voting members, that shall be selected by the board representing state agencies and departments that are in direct partnership with the museum on projects that benefit the State for both the Bishop Museum and Iolani Palace;
- (2) Deleting language that would have enumerated the individuals that the board could select as the two ex officio, voting members for both the Bishop Museum and Iolani Palace;
- (3) Amending language to designate the Bernice Pauahi Bishop Museum as the "State of Hawaii Museum of Natural and Indigenous History";
- (4) Inserting a \$5,000,000 appropriation amount for the renovation of Bishop Hall;
- (5) Amending section 1 to reflect its amended purpose;
- (6) Making conforming amendments; 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 S.B. No. 3281, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3281, 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. 2650 (Joint) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on S.B. No. 3242

The purpose and intent of this measure is to:

- (1) Require departments or county agencies responsible for roads, highways, or similar infrastructure to evaluate high risk or dangerous corridors or intersections and plan strategies for mitigation; and
- (2) Provide that an engineering study is not required to be considered if the Department of Transportation decreases maximum speed limits within one mile of a school.

Your Committees received testimony in support of this measure from the Department of Transportation and one individual.

Your Committees find that the State has experienced significant fatalities and serious injuries on highways and roads. Numerous crashes have occurred near schools and in intersections where fatalities and injuries regularly occur. However, safety improvements may be delayed despite identification as a dangerous area. This measure will create safer roadways for all users while streamlining government processes to improve roadway safety.

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. 3242 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. 2651 (Joint) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on S.B. No. 3135

The purpose and intent of this measure is to:

- (1) Authorize the Examiner of Drivers to suspend the driver's license of a person using a disability parking permit issued to a deceased person who was deceased when the permit was issued to obtain parking privileges;

- (2) Provide that fifty percent of any fine imposed for violating the law relating to parking for disabled persons is remitted to the law enforcement agency that issued the citation;
- (3) Authorize each county to enact ordinances to enforce the design and construction requirements for the provision of accessible parking spaces, including the establishment of penalties for failure to comply with the ordinances; and
- (4) Authorize officials appointed by a county to enter the property of places of public accommodation to enforce violations of the county ordinances.

Your Committees received testimony in support of this measure from the State Council on Developmental Disabilities, Disability and Communication Access Board, a member of the Kaua'i County Council, Retail Merchants of Hawaii, and six individuals.

Your Committees received comments on this measure from the Honolulu Police Department.

Your Committees find that the statewide parking program for persons with disabilities provides individuals with mobility disabilities the ability to travel and park in accessible parking spaces. However, improper use and insufficient enforcement impact access for legitimate participants. This measure ensures greater accessibility to parking spaces for individuals with disabilities and their caretakers.

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 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. 3135, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3135, S.D. 1, and be referred to your Committee on Judiciary.

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. 2652 Public Safety and Intergovernmental and Military Affairs on S.B. No. 2808

The purpose and intent of this measure is to:

- (1) Establish a Statewide Firefighting Helicopter Program, to be administered by the State Fire Marshal;
- (2) Appropriate funds to obtain helicopters, facilities equipment, and supplies; hire and train staff; and do other things necessary to ensure that the program is ready to begin providing aerial firefighting services on July 1, 2025; and
- (3) Establish that this measure only takes effect if another bill is passed that establishes a State Fire Marshal position.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Health, Maui Chamber of Commerce, Hawaiian Electric, and one individual.

Your Committee received comments on this measure from the Department of Labor and Industrial Relations and Department of the Attorney General.

Your Committee finds that Hawaii's unique status as an island state, positioned thousands of miles away from the nearest continent, makes addressing wildfires challenging. Your Committee further finds that equipped with state-of-the-art technology, helicopters can deliver targeted water drops, fire retardant, and other firefighting agents with precision, maximizing the effectiveness of suppression efforts in the event of a wildfire. This measure will fortify Hawaii's resilience against the growing threat of wildfires, enhance overall emergency response capabilities, and safeguard the well-being of residents and visitors by establishing a Statewide Firefighting Helicopter Program.

Your Committee has amended this measure by:

- (1) Replacing the terms "firefighting aircraft", "aerial firefighting assets", and "aerial firefighting aircraft" with the term "firefighting helicopter";
- (2) Replacing the term "department" with "State Fire Marshal";
- (3) Clarifying that the appropriations shall be expended to administer the Statewide Firefighting Helicopter Program; and
- (4) Inserting an effective date of January 1, 2042, 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. 2808, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2808, 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, Awa).

SCRep. 2653 Public Safety and Intergovernmental and Military Affairs on S.B. No. 2845

The purpose and intent of this measure is to:

- (1) Prohibit a person from selling ammunition to a person under the age of twenty-one; and
- (2) Prohibit a person under the age of twenty-one from owning, possessing, or controlling ammunition.

Your Committee received testimony in support of this measure from two members of the Hawai'i County Council, Hawaii State Coalition Against Domestic Violence, Indivisible Hawaii, Brady Campaign to End Gun Violence, Everytown for Gun Safety, Moms Demand Action for Gun Sense in America Hawai'i Chapter, Students Demand Action for Gun Sense Hawai'i Chapter, Indivisible Hawaii Healthcare Team, and over fifty-five individuals.

Your Committee received testimony in opposition to this measure from the National Rifle Association, Pu'uoloa Rifle and Pistol Club, Hawaii Rifle Association, Hawaii Firearms Coalition, and over two hundred individuals.

Your Committee received comments on this measure from the Honolulu Police Department and one individual.

Your Committee finds that while the State has some of the strongest gun safety laws in the nation, state laws restricting the sale, ownership, and possession of ammunition do not currently align with other gun safety measures. Additionally, numerous states, including Arizona, California, Connecticut, Delaware, Idaho, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota, New Hampshire, New Jersey, New York, Rhode Island, and Vermont, have set a minimum age requirement for ammunition sales. Your Committee further finds that setting a minimum age requirement to purchase, own, or possess ammunition that conforms to the existing minimum age requirement to purchase, own, or possess a firearm in the State will help to ensure the safety of residents and reduce incidents of gun violence in the State.

Your Committee has amended this measure by:

- (1) Adding language to exempt individuals who are less than twenty-one years of age who are engaged in hunting or target shooting pursuant to section 134-5, 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 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. 2845, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2845, 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 (Fukunaga, Awa).

SCRep. 2654 Water and Land on S.B. No. 513

The purpose and intent of this measure is to require the Board of Land and Natural Resources to create a standard lease application and programmatic environmental impact statement to further streamline the process for leasing government-owned fishponds.

Your Committee received testimony in support of this measure from the Department of Agriculture, Kua 'Āina Ulu 'Auamo, Office of Hawaiian Affairs, Food+ Policy Internship, Hawaii Reef and Ocean Coalition, and twelve individuals.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that historically, government-owned fishponds were subjected to an extensive permitting process that required large amounts of resources and time to secure. In 2015, the Office of Conservation and Coastal Lands of the Department of Land and Natural Resources collaborated with other agencies to develop a master permit for traditional Hawaiian fishponds that helped streamline the process. However, the leasing process for fishponds remains complex, confusing, and difficult to navigate. This measure will streamline the process for leasing government-owned fishponds, promoting the repair, restoration, maintenance, and operation of traditional Hawaiian fishponds.

Your Committee has heard concerns from the Department of Land and Natural Resources that this measure conflates the separate approval and lease processes, which imposes an unsustainable burden on the Department with minimal benefit to the public. Combining the lease application process, which is managed by the Land Division, with the proposed programmatic environmental impact statement (EIS) would place the responsibility for obtaining and managing a programmatic EIS with the Land Division, which does not have the staffing capacity or expertise to do so. H.B. No. 2626 is a substantively similar bill that adopted amendments addressing the Department's concerns.

Accordingly, your Committee has amended this measure by adopting the amendments made to H.B. No. 2626, which include:

- (1) Deleting legislative findings;
- (2) Deleting language that would have required the Board of Land and Natural Resources to implement a standard lease application and programmatic environmental impact statement to streamline the leasing process for government-owned Hawaiian fishponds and all its related language;
- (3) Inserting language to specify certain findings that the Board of Land and Natural Resources is required to make for a lease of a government-owned fishpond;
- (4) Deleting the appropriation for the creation of a standard lease application and programmatic environmental impact statement;
- (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. 513, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 513, 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. 2655 Water and Land on S.B. No. 2156

The purpose and intent of this measure is to require the Department of Land and Natural to create a strategic plan for maintenance dredging of small boat harbors, channels, ramps, and other important infrastructure in the State.

Your Committee received testimony in support of this measure from the Agribusiness Development Corporation; Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.; Ocean Tourism Coalition; Sailing Maui, Inc.; Fair Wind Cruises; Quicksilver Charters; Gemini Sailing Charters; and three individuals.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that maintenance dredging is critical to the upkeep of small boat harbors, channels, ramps, and other port infrastructure in the State. The current system is disorganized and haphazard as the necessary steps, including appropriations and the issuance of permits, are not taken until dredging is imminent. This disorganized process sometimes contributes to worsened conditions at these facilities that may cause a shutdown of the affected sites. Federal agencies have encouraged the states to adopt programmatic schedules of maintenance dredging to expedite federal review and even draw down federal dollars that are available to assist the states in these endeavors. This measure will spread resources across the State according to actual need and allow ample time for permitting and public input.

Your Committee has heard testimony from the Department of Land and Natural Resources (Department) that a strategic plan for maintenance dredging is unnecessary as the Department has already identified the facilities across the State that require maintenance dredging on a regular basis. The Department anticipates that with sufficient funding, the Department would be able to complete two or three dredging projects a year and estimates that a recurring \$3,000,000 appropriation would cover annual maintenance dredging needs.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have required the Department to develop a strategic plan for maintenance dredging;
- (2) Inserting language that appropriates funds to the Department to conduct maintenance dredging at small state boat harbors, boat launch ramp facilities, and other state boating facilities and waterways, including design, permitting, and dredging work, as identified by the Department;
- (3) Changing the appropriation from an unspecified amount to an amount of \$3,000,000 for the purposes of this measure;
- (4) Requiring funding for maintenance dredging of state boating facilities to be in the Departments' annual base budget request;
- (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 Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2156, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2156, 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. 2656 Water and Land on S.B. No. 2183

The purpose and intent of this measure is to amend the definition of "beach restoration" used in laws governing the Board of Land and Natural Resources' powers to engage in beach restoration to include activities undertaken to:

- (1) Improve eroded beaches and degraded dune systems; and
- (2) Remove abandoned and remnant manmade materials that pose a risk to the health of the public and ecosystem.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Office of Planning and Sustainable Development.

Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that sea level rise poses a serious and imminent threat to Hawaii's coastal communities and residents and Hawaii's natural resources, primarily beaches and coastal ecosystems. The State has an affirmative duty to preserve beaches as a public trust resource for the people of Hawaii, and beaches are culturally important and provide natural resilience to sea level rise and associated coastal flooding. This measure will help to preserve Hawaii's beaches and coastal systems by expanding the types of activities the State recognizes as restorative and beneficial to beaches.

Your Committee has amended this measure by:

- (1) Clarifying the definition of "beach restoration" to include:
 - (A) The management and restoration of sand and native dune vegetation; and
 - (B) The removal of materials abandoned on beaches and dunes that pose a risk to public health and coastal ecosystems; 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. 2183, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2183, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2657 (Joint/Majority) Water and Land and Energy, Economic Development, and Tourism on S.B. No. 2203

The purpose and intent of this measure is to apply permissible uses within agricultural districts to counties having specific population levels.

Your Committees received testimony in support of this measure from the Mayor of the County of Hawai'i and County of Hawai'i Planning Department.

Your Committees received comments on this measure from the Office of Planning and Sustainable Development, Department of Agriculture, and Office of Hawaiian Affairs.

Your Committees find that agricultural tourism presents an opportunity for farmers and ranchers to diversify their income stream beyond the sale of food and non-food agricultural products. With carefully thought-out ordinances and regulations in place, agricultural operations with accessory and secondary agricultural tourism may be able to sustain their operations and contribute to local food self-sufficiency and have little, if any, adverse effect on the agricultural operations, land values, and access to agricultural resources in the surrounding area. This measure bolsters the agricultural tourism industry and provides another possible income stream to farmers.

Your Committees have amended this measure by:

- (1) Deleting language that would have limited this measure to counties with a population of 500,000 or more; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that there needs to be more enforcement taken by the counties regarding unregulated agricultural tourism activities and agricultural tourism enforcement is borne by the counties.

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. 2203, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2203, 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, 1 (Fevella). Excused, none.
Energy, Economic Development, and Tourism: Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 2658 Water and Land on S.B. No. 2721

The purpose and intent of this measure is to clarify that violation of part I of chapter 200, Hawaii Revised Statutes, relating to ocean recreation and coastal areas, or any rules adopted thereunder shall be subject to criminal penalties.

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 one individual.

Your Committee received testimony in opposition to this measure from Quicksilver Charters.

Your Committee finds that small boat harbors and boating facilities are some of the most heavily trafficked facilities in the State, used by residents and tourists alike. The Division of Conservation and Resources Enforcement of the Department of Land and Natural Resources is responsible for enforcing all statutes and administrative rules violations in small boat harbors and boating facilities. Much of the enforcement efforts at small boat harbors and boating facilities are necessary to ensure public health and safety, such as responding to vandalism, theft, trespassing, and squatting. This measure will deter violators and repeat offenders of boating laws by imposing stricter penalties.

Your Committee has amended this measure by:

- (1) Clarifying that penalties shall only be imposed on individuals that knowingly or intentionally violate the rules;
- (2) Clarifying that vessels shall not be subject to fines imposed by this measure, but fines shall be imposed on any agents, owner, or crew of any vessel that violates the rules;
- (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. 2721, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2721, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 2659 (Joint) Water and Land and Commerce and Consumer Protection on S.B. No. 2859

The purpose and intent of this measure is to simplify and streamline the operation of the Land Court by authorizing the use of a master certificate of title for common interest communities.

Your Committees received testimony in support of this measure from the Community Associations Institute and one individual.

Your Committees received testimony in opposition to this measure from two individuals.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that under the current land court system, any amendment to the documents governing a condominium or planned community must be noted on the certificate title of each unit. Authorizing the use of a master certificate of title that lists encumbrances of general application will permit certificates of title for individual units to incorporate by reference the encumbrances on the master certificate of title. This measure eliminates the need to change the certificate title for each unit to reflect any changes in the encumbrances of general application to the condominium or planned community.

Your Committees heard testimony from the Department of Land and Natural Resources that implementing this measure unamended would duplicate the effort of the Bureau of Conveyance and Land Records Management System and would require extensive staff resources that are already strained as these agencies already support a process similar to the “master certificate of title” proposed by this measure.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that the name of the owner on a master certificate of title shall be determined by the assistant registrar and will incorporate the name of the new common interest community;
- (2) Deleting language that would have authorized the assistant registrar to establish a property identification number or other alternate means of identifying identical units;
- (3) Deleting language relating to existing common interest communities, thereby limiting this measure to new common interest communities;
- (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 Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2859, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2859, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 3. Noes, none. Excused, 2 (Chang, Fevella).

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

SCRep. 2660 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on S.B. No. 2574

The purpose and intent of this measure is to:

- (1) Establish a temporary tax credit for the importation of renewable fuel and sustainable aviation fuel; and
- (2) Expand the provisions of the Renewable Fuels Production Tax Credit for taxable years beginning after December 31, 2024, by:
 - (A) Increasing the amount to be claimed from 20 cents per seventy-six thousand British thermal units of renewable fuels sold for distribution in the State to 35 cents per seventy-six thousand British thermal units of renewable fuels produced and sold for distribution in the State;
 - (B) Removing the \$3,500,000 annual aggregate cap on the credit and increasing the credit cap that each qualified taxpayer may claim each taxable year from \$20,000 to \$100,000;
 - (C) Specifying that fuels are to have lifecycle greenhouse gas emissions of at least a certain percentage below that of fossil fuels;
 - (D) Adding a \$1 per gallon tax credit for the production of:
 - (i) Renewable fuels from locally sourced renewable feedstock; and
 - (ii) Sustainable aviation fuel within the State and produced and sold for consumption by flights originating from and within the State; and
 - (E) Increasing the time within which the Hawaii State Energy Office is given to respond to a request for certification from thirty to sixty days.

Your Committees received testimony in support of this measure from the Hawai'i Renewable Fuels Coalition; Hawai'i Farm Bureau; Hawai'i BioEconomy Trade Organization; Pacific Biodiesel, Inc.; Par Hawaii Refining, LLC; Hawaiian Airlines; Maui Land & Pineapple Company, Inc.; Airlines for America; United Steelworkers; Alaska Airlines, Inc.; Twelve; Pono Pacific Land Management, LLC; and one individual.

Your Committees received comments on this measure from the Department of the Attorney General, Department of Taxation, Hawaii State Energy Office, and Tax Foundation of Hawaii.

Your Committees find that incentivizing local renewable fuel production allows investment in the local economy, supports job creation, and accelerates the State's goals to achieve net-zero or net-negative targets as quickly as practicable but no later than 2045. Your Committees recognize that, as an island state, the total jet fuel consumption between private and military industries in the State is eighteen million barrels or 767,000,000 gallons. Your Committees further recognize that the production cost of sustainable aviation fuel is several times greater than that of conventional fuels. The tax credits proposed in this measure create a pathway to support the use and production of fossil fuel alternatives in the State.

According to testimony received by your Committees, Par Pacific, and its partner, Pono Pacific, are working with several landowners in the State to develop oil-yielding crops that produce feedstock for renewable diesel and sustainable aviation fuel. Your Committees therefore request that Par Pacific provide an inventory of the land available to grow oil-yielding crops in the State, the GIS overlay of the land available that shows which areas are cultivatable, and the amount of water needed to plant these oil-yielding crops during both winter and summer months.

Your Committees recognize the concerns raised by the Department of the Attorney General that the provision in this measure that provides taxpayers who produce renewable fuels from locally sourced renewable feedstock or sustainable aviation fuel within the State with an additional \$1 per gallon tax credit under the existing Renewable Fuels Production Tax Credit and the Renewable Fuels Import Tax Credit established by this measure may be subject to a challenge under the United States Constitution's Commerce Clause, as it may be construed by a court to benefit in-state economic interests by burdening out-of-state competitors.

Accordingly, your Committees have amended this measure by:

- (1) Deleting references to "locally-sourced renewable feedstock" and language that would have provided taxpayers who produce sustainable aviation fuel within the State an additional \$1 per gallon tax credit; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2574, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2574, 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 (Awa).

Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Wakai).

SCRep. 2661 Commerce and Consumer Protection on S.B. No. 3345

The purpose and intent of this measure is to:

- (1) Conform Hawaii estate tax laws to the operative provisions of the Internal Revenue Code; and
- (2) Establish an estate tax deduction for the value of a closely held business.

Your Committee received testimony in support of this measure from Servco Pacific Inc.; Altres, Inc.; Island Insurance Companies; Stanford Carr Development; ABC Stores; Y.Hata & Company, Limited; Zippy's Restaurants; KTA Super Stores; Grassroot Institute of Hawaii; Tori Richard, Ltd.; HPM Building Supply; Loyalty Enterprises, Ltd.; Finance Enterprises, Ltd.; L&L Hawaiian Barbeque; Foodland Supermarket, Ltd.; Big Island Motors; 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 Taxation and Tax Foundation of Hawaii.

Your Committee finds that for many local business owners in Hawaii, the difference between the federal and state estate tax has made estate planning unduly complicated and technical. Your Committee further finds that the Hawaii estate tax exclusion amount, which is currently much lower than the federal amount, has been a burden to many local family businesses that tend to have large portions of their estate values held in non-liquid assets. Your Committee also finds that local family businesses are the bedrock of the Hawaii economy, and that the State should take measures to ensure that an untimely death of a business owner does not lead to the closing of a treasured local establishment. Therefore, this measure would align the state and federal exclusion amounts for estate taxes and establish an estate tax deduction for certain closely held family businesses.

Notwithstanding, your Committee has heard the testimony of the Department of Taxation, recommending that certain definition-related ambiguities in this measure be resolved and for the effective date to be delayed for implementation purposes. Therefore, amendments to this measure are necessary to address these issues.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that for a decedent's estate to be allowed an estate tax deduction for the value of any qualified family-owned business interest that the decedent held at the time of death, the interest in the closely held business must have been owned by the decedent, not the decedent's qualified heir, and the material participation in the operation of the trade or business to which the interest relates must have been by the decedent, not the decedent's qualified heir;
- (2) Extending the implementation of the measure by one year, from decedents dying or taxable transfers occurring after December 31, 2023, to decedents dying or taxable transfers occurring after December 31, 2024;
- (3) Inserting an effective date of July 1, 2040, 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. 3345, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3345, 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. 2662 Commerce and Consumer Protection on S.B. No. 2607

The purpose and intent of this measure is to revise the construction defect claims resolution process under the Contractor Repair Act, chapter 672E, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Pacific Resource Partnership; Case Lombardi, A Law Corporation; D.R. Horton Hawaii LLC; Holomua Collaborative; Hawaii Credit Union League; Building Industry Association of Hawaii; Ali'i Glass & Metal, Inc.; Tru-Door Hawaii; Z Contractors, Inc.; Royal Contracting Co., Ltd.; Jayar Construction, Inc.; Stanford Carr Development; Foundation Building Materials, LLC; Paradigm Construction LLC; Gray, Hong, Nojima & Associates, Inc.; Cultured Marble; Hawaiian Landscape Co., Inc.; R.M. Towill Corporation; Vinyl Tech & Masonry, Inc.; M2K Construction LLC; Hawaiian Management Company, Ltd.; REEF Development of Hawaii, Inc.; Gentry Homes, Ltd.; Jade Painting, Inc.; Ashford & Wriston A Limited Law Partnership LLP; Hawai'i Association of REALTORS; General Contractors Association of Hawaii; Fred Lau Hawaiian Landscape Co. Inc.; Foundations Hawaii, Inc.; KY International, Inc.; HPM Building Supply; Hawaii Regional Council of Carpenters; and twelve individuals.

Your Committee received testimony in opposition to this measure from Lipp Smith LLP, Kasdan Turner Thomson Booth LLLC, and twenty-three individuals.

Your Committee received comments on this measure from the Contractors License Board.

Your Committee finds that the high volume of litigation related to construction defects in the State has contributed, in part, to rising insurance rates, housing costs, and the growing number of condominiums ineligible for government-backed loans because they are currently under litigation. Your Committee further finds that, under the claims resolution process for construction defects under chapter 672E, Hawaii Revised Statutes, in many cases, after filing a notice of claim of a construction defect, some homeowners reject, without good cause, a contractor's offer of repairs or monetary payments, leading to abuse and delays in the claims resolution process. Therefore, this measure will improve the claims resolution process by limiting a claimant's recovery to the total value of the contractor's offer if the claimant rejects a proposal to inspect or a monetary offer from the contractor under certain circumstances.

Your Committee notes that under this measure, a claimant that "unreasonably" rejects a proposal to inspect the premises of the alleged construction defect, or an offer to settle from a contractor, will be limited in recovery to the total value of the contractor's offer. Your Committee is concerned that this legal term of art is ambiguous and could lead to increased litigation, a result that this measure specifically seeks to address. Your Committee finds that this issue merits further consideration and respectfully requests that subsequent committees to which this measure is referred examine this issue.

Your Committee has amended this measure by:

- (1) Deleting language that would have required a claimant to accept a contractor's proposal for inspection within fourteen days, and restoring the thirty-day period under existing law;
- (2) Inserting language that allows, rather than requires, a claimant to accept certain offers made by a contractor under section 672E-4, Hawaii Revised Statutes;
- (3) Inserting an effective date of July 1, 2040, 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. 2607, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2607, 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. 2663 Commerce and Consumer Protection on S.B. No. 2020

The purpose and intent of this measure is to make it a deceptive practice to advertise, display, or offer a price for goods or services that does not include all mandatory fees or charges, with certain exceptions.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs' Office of Consumer Protection and American Economic Liberties Project.

Your Committee received testimony in opposition to this measure from the Hawai'i Restaurant Association, Chamber of Progress, and one individual.

Your Committee received comments on this measure from Charter Communications.

Your Committee finds that in the face of challenging operating environments, some businesses have resorted to including additional hidden fees and surcharges in bills. The public has expressed confusion about these additional fees and surcharges paid at establishments for services or, because ineffective notification leaves many customers feeling misinformed. This measure will require that all mandatory fees or charges, with certain exceptions, be disclosed when a person advertises, displays, or offers a price for goods or services.

Your Committee has amended this measure by:

- (1) Inserting language exempting persons who provide broadband internet access service in compliance with certain federal rules from the requirement to include all mandatory fees or charges when advertising, displaying, or offering a price for goods or services;
- (2) Inserting an effective date of July 1, 2040, 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. 2020, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2020, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2664 (Joint) Commerce and Consumer Protection and Energy, Economic Development, and Tourism on S.B. No. 2505

The purpose and intent of this measure is to:

- (1) Require the Public Utilities Commission to establish reliability standards and interconnection requirements for the Hawaii Electric System;
- (2) Establish system resilience as a metric that is monitored and considered by the Commission;
- (3) Require the Commission to collect the Hawaii Electricity Reliability Surcharge and provide that the surcharge may be transferred to the Commission for the purpose of its duties; and
- (4) Require the Commission to contract for the performance of certain functions with a Hawaii Electricity Reliability Administrator.

Your Committees received testimony in support of this measure from the Public Utilities Commission and 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 Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs.

Your Committees find that maintaining a resilient electric system is of vital importance for the State, especially given Hawaii's geographically isolated location, miles away from the mainland United States. As such, your Committees find that electric system resilience should be a metric that is actively monitored and considered by the Public Utilities Commission.

Your Committees also recognize that although the Public Utilities Commission has created certain modified interconnection requirements and developed various reliability metrics to monitor and maintain the Hawaii Electric System, this role of the Commission is currently discretionary. Likewise, your Committees also find that the Commission has the discretion, but is not required, to charge a Hawaii Electric Reliability Surcharge and to contract with a Hawaii Electric Reliability Administrator. Your Committees find that by requiring the Public Utilities Commission to adopt a comprehensive set of interconnection and reliability standards, to charge a Hawaii Electric Reliability Surcharge, and contract with a Hawaii Electric Reliability Administrator, this measure will ensure that the State has the ability to rapidly recover from future unexpected natural and human-caused disasters.

Notwithstanding, your Committees have heard the testimony of the Department of Commerce and Consumer Affairs, stating that the Public Utilities Commission's ongoing regulatory efforts, existing reporting requirements, and existing performance incentive mechanisms are already sufficient to assess, compel, and incentivize electric utility companies to meet certain reliability targets and achieve resiliency goals without being mandatory. Your Committees therefore find that eliminating the Commission's discretionary authority is unnecessary, and that amendments to this measure are therefore necessary to address this matter.

Accordingly, your Committees have amended this measure by:

- (1) Deleting the proposed amendments to:
 - (A) Sections 269-142(a) and (b), Hawaii Revised Statutes (HRS), thereby retaining the Commission's discretionary authority to adopt reliability standards and interconnection requirements;
 - (B) Section 269-146(a), HRS, thereby retaining the Commission's discretionary authority to charge a Hawaii Electric Reliability Surcharge; and
 - (C) Section 269-147(a), HRS, thereby retaining the Commission's discretionary authority to contract with a Hawaii Electric Reliability Administrator;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of July 1, 2040, 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 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. 2505, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2505, 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; Ayes with Reservations (McKelvey). Noes, none. Excused, none.
Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2665 Commerce and Consumer Protection on S.B. No. 2631

The purpose and intent of this measure is to prohibit commercial website operators from publishing mugshots.

Your Committee received testimony in support of this measure from the Office of the Public Defender and one individual.

Your Committee finds that booking or arrest photographs, also called mugshots, can be obtained from law enforcement websites and reposted on commercial websites. Arrests regularly occur without resulting in actual criminal charges, and the commercial consumption of mugshots can be harmful to one's reputation or compromise possible employment. Therefore, this measure will prohibit the publication of a person's mugshot on a commercial website for pecuniary gain, with certain exemptions for the purpose of disseminating information to the public, among others.

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. 2631 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. 2666 (Joint) Agriculture and Environment and Commerce and Consumer Protection on S.B. No. 2562

The purpose and intent of this measure is to prohibit animal owners and their employees from performing any surgical procedures on the owner's dog or dogs.

Your Committees received testimony in support of this measure from the Hawaiian Humane Society; Animal Interfaith Alliance; Animal Welfare Institute; Kaua'i Humane Society; Hawaii Veterinary Medical Association; Hawaii Cattlemen's Council, Inc.; and fourteen individuals.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees received comments on this measure from the Hawaii Board of Veterinary Medicine.

Your Committees find that there is a need for more explicit laws to protect pet animals from significant harm caused by unlicensed individuals performing veterinary procedures. Your Committees also find that cropping and docking should not be performed by unlicensed individuals for compensation, monetary or otherwise, or by unlicensed individuals who perform the practice as part of the sale of a pet animal even if done gratuitously.

Your Committees have amended this measure by:

- (1) Expanding its scope to:
 - (A) Prohibit individuals without a valid unrevoked license obtained from the Hawaii Board of Veterinary Medicine from performing any surgical procedure on any animal; and
 - (B) Make performing any surgical procedure on any animal without a valid unrevoked license obtained from the Hawaii Board of Veterinary Medicine a class C felony;
- (2) Repealing language that exempted cropping or docking as customarily practiced from the offense of cruelty to animals in the first degree; 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 Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2562, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2562, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Awa).

Commerce and Consumer Protection: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

SCRep. 2667 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on S.B. No. 2428

The purpose and intent of this measure is to:

- (1) Establish the Hawaii Agricultural Investment Program within the Agribusiness Development Corporation to support local agricultural producers; and
- (2) Appropriate funds for the Hawaii Agricultural Investment Program and establish two full-time equivalent positions for the Program.

Your Committees received testimony in support of this measure from the Department of Agriculture, Agribusiness Development Corporation, Ulupono Initiative, Hawai'i Farm Bureau, Hawaii Food Industry Association, and Hawaii Food+ Policy.

Your Committees find that although local agriculture is essential to the economy in Hawaii, approximately eighty-five percent of all food consumed in the State is imported. Your Committees find that this imbalance leaves the State vulnerable to natural disasters, supply chain disruptions, and future impacts on national and global food production related to climate change.

Your Committees further find that the State must increase its local food production to meet its ambitious food security and self-sustainability goals. Therefore, this measure establishes the Hawaii Agricultural Investment Program to provide direct assistance to local food producers and support the local agricultural sector.

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 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. 2428, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2428, 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 (Awa).

Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Wakai).

SCRep. 2668 (Joint/Majority) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on S.B. No. 2832

The purpose and intent of this measure is to:

- (1) Specify that the counties may issue traffic infractions for violations of any law prohibiting or restricting the stopping, standing, or parking of vehicles on all highways and county property; and
- (2) Authorize stopping, standing, and parking restrictions and prohibitions on property under jurisdiction of the Director of Transportation and the counties, respectively.

Your Committees received testimony in support of this measure from the Department of Transportation, one member of the Maui County Council, Mayor of the County of Maui, and one individual.

Your Committees find that ensuring the safety of all roadway users is of paramount importance. Currently, existing law does not empower the counties to issue traffic infractions for certain violations on highways and county property. Establishing additional powers for the counties will provide avenues to address hazardous conditions on highways that may interfere with the free flow of traffic. This measure will ensure that counties are able to issue traffic infractions where vehicles are creating an unsafe environment.

Your Committees have amended this measure by:

- (1) Deleting language that would have applied authorization of prohibition of stopping, standing, or parking of vehicles on county property; and
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on 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. 2832, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2832, 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, 4. Noes, 1 (Awa). Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 2669 Higher Education on S.B. No. 2722

The purpose and intent of this measure is to:

- (1) Appropriate funds to 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; and
- (2) Require the Cancer Center to seek federal funding to complete the study.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Department of Health, Hawai'i Primary Care Association, Leukemia & Lymphoma Society, Hawai'i Public Health Association, American Cancer Society Cancer Action Network, Friends of the University of Hawaii Cancer Center, a petition signed by one hundred sixty-three individuals, and fourteen individuals.

Your Committee finds that the University of Hawaii Cancer Center ("Center") is one of seventy-one National Cancer Institute-designated cancer centers in the United States. Additionally, the Center is the only institution in the State, and the Pacific region, providing critical medical research and treatment for Native Hawaiian and Pacific Islander populations. Your Committee further finds that despite a decrease in cancer incidence and mortality rates in the State, disparities among ethnic populations continue to be of concern. Native Hawaiians continue to have the highest cancer incidence and mortality rates among men and women, including higher incidences of breast and ovarian cancer. Similarly, other ethnic groups such as Filipino women also have high rates of cancer incidences. As cancer research focusing on Native Hawaiians, Pacific Islanders, and Filipinos cannot be as easily conducted elsewhere in the world, this measure provides critical data to support the overall health of Hawaii's people.

Your Committee has concerns, however, regarding the funding appropriated to the Center through the Tobacco Tax and Cancer Research Special Fund utilized for purposes other than conducting research. According to testimony from the University of Hawaii at a public hearing on this measure, funds from the Tobacco Tax and University of Hawaii Tuition and Fees Special Fund have been utilized for daily operations rather than funding components of research studies. As a research center, the Center should prioritize research as one of its fundamental operations.

Additionally, your Committee also believes that the Center should prioritize grant funding to research demographics matching the local community. Previous and current studies have not prioritized local communities in securing grant funding and your Committee finds that there should be a greater emphasis on achieving results to assist with cancer prevention in the State's communities. According to testimony from the University of Hawaii, the original multiethnic cohort study that began in the 1990s did not include Filipinos, nor did it include social determinants of health. Additionally, previous studies of the State's local communities were smaller studies focused on preventative screening. Accordingly, your Committee believes that research conducted by the Center should reflect the local communities to provide residents with opportunities for high quality care. As the Center has secured grant funding for previous studies, your Committee believes the Center should prioritize state funds received for the continuation of critical research.

Your Committee has amended this measure by:

- (1) Inserting language to require the University of Hawaii to, at a minimum, seek matching federal funding to further the study; and
- (2) Amending section 1 to update its amended purpose.

Your Committee notes that this measure, as amended, contains an appropriation for an unspecified amount. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider an appropriate amount to be inserted.

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. 2722, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2722, 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 (Hashimoto).

SCRep. 2670 Higher Education on S.B. No. 3209

The purpose and intent of this measure is to fulfill the requirements of Act 141, Session Laws of Hawaii 2022, by appropriating funds to the University of Hawaii at Manoa College of Education for:

- (1) The establishment of seven full-time equivalent (7.0 FTE) positions; and
- (2) Additional program costs for the expanded teacher cohort program.

Your Committee received testimony in support of this measure from the University of Hawaii'i System, Department of Education, Hawaii'i Teacher Standards Board, University of Hawaii Professional Assembly, and the Hawaii State Teachers Association.

Your Committee finds that Hawaii has long suffered from a shortage of qualified public school teachers. To address this shortage, the Legislature enacted Act 141, Session Laws of Hawaii 2022 (Act 141), to require the University of Hawaii to establish kindergarten through grade twelve expanded teaching cohort programs in each county for students who are pursuing undergraduate degrees in education. However, no funding for this mandate was provided to ensure greater accessibility for program pathways. Additionally, Act 141 further required the University of Hawaii to submit an interim report to the Legislature regarding the number of faculty and associated costs needed to establish and administer additional programs before the convening of the Regular Session of 2024. Therefore, this measure provides resources necessary to fully implement the mandates of Act 141 to address the ongoing chronic teacher shortage.

Your Committee notes its concerns regarding the testimony provided by the University of Hawaii at a public hearing on this measure regarding personnel sweep practices. Presently, standing practice at the University of Hawaii at Manoa is to conduct an annual centralized position management sweep of faculty positions that occurs when vacant positions are not filled after a retirement, resignation, or inability to fill the position. The Manoa Budget Team reviews the requests of the various campus units and returns certain positions that are aligned with campus priorities. However, positions that are swept may not necessarily be returned to the campus unit where the sweep occurred. Additionally, in the last year, the University of Hawaii at Manoa College of Education had 16.75 funded positions swept, with just over half that were returned to the College. Funds previously allocated to the swept positions may be redistributed based on enrollment, priorities, and other program needs across the campus, which may not necessarily return to the campus unit that had funds swept. If all positions were returned to the College of Education, the College would have already possessed adequate funding for the seven new positions established in this measure, rather than requesting funding from the Legislature.

Your Committee has amended this measure by inserting an effective date of July 1, 2055, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3209, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3209, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Hashimoto).

SCRep. 2671 Higher Education on S.B. No. 3340

The purpose and intent of this measure is to:

- (1) 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;
- (2) Require a report to the Legislature; and
- (3) Make an appropriation.

Your Committee received testimony in support of this measure from the Department of Agriculture; University of Hawai'i System; Hawai'i Farm Bureau; and Hawaii Cattlemen's Council, Inc.

Your Committee finds that investing resources into the State's agricultural industry will allow for greater diversity of economic industries and provide a stable, secure food source for Hawaii's people. Presently, there are few ranching operations that raise cattle for locally sourced beef. However, stakeholders have raised concerns that there is little existing Hawaii-based data that can be utilized by farming and ranching stakeholders to understand the feasibility of transporting beef cattle via interisland ocean transportation to support operations between the islands. This measure will help obtain data to expand cattle operations statewide while ensuring high standards of animal welfare and meat quality.

Your Committee notes its discussion with the University of Hawaii and the Department of Agriculture that occurred at the public hearing on this measure regarding the need for additional data on heat stress experienced by cattle. Presently, there are numerous studies readily available that have been conducted by various universities that examine the role of heat stress on cattle. Additionally, as information is accessible and available, your Committee notes additional concerns that an additional study on the effects of heat stress on cattle may be duplicative and does not reflect evidence of a problem. Your Committee further notes that, rather than an additional study on heat stress, funding could be utilized to address proper ventilation, care, and other needs during interisland transport.

Your Committee has amended this measure by:

- (1) Inserting an appropriation amount of \$20,000 to conduct the interisland ocean transport study on beef cattle;
- (2) Inserting an effective date of July 1, 2055, 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3340, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3340, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Hashimoto).

SCRep. 2672 (Joint/Majority) Commerce and Consumer Protection and Energy, Economic Development, and Tourism on S.B. No. 2170

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 the establishment and operation of the Combat Sports Commission of Hawaii and for an unspecified number of full-time equivalent positions within the Department of Commerce and Consumer Affairs.

Your Committees received testimony in support of this measure from the County of Hawai'i Office of the Mayor; Nokanet, LLC; and nine individuals.

Your Committees received testimony in opposition to this measure from the Professional Vocational Licensing Division of the Department of Commerce and Consumer Affairs and one individual.

Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that Hawaii has embraced full-contact combat sports, which incorporates techniques from boxing, wrestling, judo, jujitsu, karate, Muay Thai and others. In addition to producing multiple mixed martial arts world title fighters, both male and female, Hawaii has held major events at the Blaisdell Center Arena that have drawn capacity crowds. To continue growing the combat sports industry in the State and to attract events staged by the Ultimate Fighting Championship and other prestigious organizations, this measure, as currently drafted, would establish the Combat Sports Commission of Hawaii.

Notwithstanding, your Committees have heard the concerns raised in testimony as to the legal and administrative challenges that would accompany the implementation of the Combat Sports Commission of Hawaii, as currently proposed in this measure. As an alternative, the Department of Commerce and Consumer Affairs requested your Committees to consider combining the regulation of mixed martial arts and boxing under a single commission. Therefore, amendments to this measure are necessary to address these issues.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and inserting provisions that:
 - (A) Establish a new regulatory framework for combat sports contests in Hawaii by renaming the existing Boxing Commission of Hawaii as the Combat Sports Commission of Hawaii;

- (B) Expand the Commission's jurisdiction to include all combat sports; and
- (C) Repeal the existing law governing mixed martial arts contests in Hawaii;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Inserting an effective date of July 1, 2040, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2170, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2170, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4. Noes, 1 (Awa). Excused, none.

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2673 Commerce and Consumer Protection on S.B. No. 3081

The purpose and intent of this measure is to update and improve various provisions of title 24, Hawaii Revised Statutes relating to the State's Insurance Code. Specifically, this measure:

- (1) Defines "dormant captive insurance company" and sets out a procedure to apply for a certificate of dormancy;
- (2) Adds the term "doing business as" to "trade name" statutory references;
- (3) Clarifies continuing education provider filing requirements;
- (4) Clarifies reinsurance intermediary-manager filing requirements;
- (5) Amends the surety bond threshold requirement for third party administrators and clarifies the audited financial statements requirements;
- (6) Amends the definitions of "controlled unaffiliated business" and "participant" as applied to captive insurance companies; and
- (7) Provides an exemption from premium taxes for a captive insurer in its first year after formation.

Your Committee received testimony in support of this measure from the Insurance Division of the Department of Commerce Consumer Affairs and one individual.

Your Committee received comments on this measure from the Hawaii Captive Insurance Council, Brown & Brown, Tax Foundation of Hawaii, and two individuals.

Your Committee finds that periodically updating the State's insurance law is necessary to provide greater protections to consumers, improve the administration and enforcement of regulated entities, and address issues that arise after the implementation of adopted laws and rules. Therefore, this administration measure makes various technical corrections and improvements to the Insurance Code.

Notwithstanding, your Committee has heard the testimony of the Insurance Division of the Department of Commerce and Consumer Affairs, requesting that certain amendments concerning taxation of captive insurance companies be deleted, as they are not necessary at this time. Therefore, amendments to measure are necessary to address this issue.

Accordingly, your Committee has amended this measure by:

- (1) Deleting section 9 of this measure, that would have exempted captive insurance companies from payment of premium taxes for the first year after their formation; and
- (2) Making 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. 3081, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3081, 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. 2674 Public Safety and Intergovernmental and Military Affairs on S.B. No. 3096

The purpose and intent of this measure is to create a process for electric utilities to develop and submit wildfire protection plans to the Public Utilities Commission for approval and allow the recovery of related costs and expenses through securitization, while avoiding a disproportionate impact on a specific ratepayer or county.

Your Committee received testimony in support of this measure from the Office of the Governor, Department of Commerce and Consumer Affairs, Hawaii State Energy Office, Public Utilities Commission, Ulupono Initiative, Hawaiian Electric, International Brotherhood of Electrical Workers Local 1260, Kaua'i Island Utility Cooperative, and Life of the Land.

Your Committee received comments on this measure from the Department of Budget and Finance and Department of the Attorney General.

Your Committee finds that the risk of catastrophic wildfires has increased, making it imperative that electric utilities develop, implement, and administer effective plans for wildfire risk mitigation. According to research conducted by a working group from 2019-2020, securitization may be the most efficient, least-cost way to finance wildfire risk mitigation costs and expenses and have an

extensive track record of success. Your Committee recognizes that the establishment of wildfire risk protection plans as provided under this measure will strengthen wildfire prevention and mitigation efforts and approaches related to the impacts of wildfires in our State.

Your Committee has amended this measure by:

- (1) Adding a definition of “catastrophic wildfire”;
- (2) Amending the definitions of “financing entity” and “wildfire protection costs”;
- (3) Specifying that the best practices discussed in the electric utility workshops, which the Public Utilities Commission may periodically convene, may be incorporated into the proposed wildfire protection plans and updates submitted to the Public Utilities Commission for approval;
- (4) Modifying various components, requirements, and procedures relating to the wildfire protection plans;
- (5) Requiring an electric utility to track and report to the Public Utilities Commission the costs that the electric utility actually incurs to develop, implement, and administer the risk-based wildfire protection plan and providing direction when those actual costs are under, equal to, or over reasonable amounts;
- (6) Expanding the scope of the Public Utilities Commission’s rules or orders pertaining to wildfire protection plans to include data governance and risk-based decision-making;
- (7) Requiring the Public Utilities Commission to determine the reasonable costs to develop, implement, and administer the plan to authorize the electric utility to recover the costs in rates;
- (8) Clarifying that no electric utility shall be civilly liable for the death of or injury to persons, or property damage, under certain conditions;
- (9) Clarifying that the Public Utilities Commission, the State, and its agents or employees shall not be liable for the death of or injury to persons, or property damage, for any actions taken by them in the performance of their powers and duties;
- (10) Clarifying that an electric utility materially failing to comply with an approved plan or part of an approved plan shall be inadmissible in any lawsuit or other action against the electric utility seeking compensation for the alleged death of or injury to persons, or property damage;
- (11) Deleting language that would have established civil penalties for non-compliance with an approved plan or part of an approved plan;
- (12) Requiring the Public Utilities Commission, in exercising its duties with respect to financing orders to issue bonds to recover any wildfire protection costs, to consider whether such costs are consistent with the public interest;
- (13) Modifying an electric utility’s role under a wildfire protection plan financing order;
- (14) Authorizing the Public Utilities Commission to create a nonbypassable surcharge referred to as a wildfire protection fee that shall be applied to recover financing costs and wildfire protection costs in the absence of a financing order;
- (15) Establishing provisions related to security interests in wildfire protection property;
- (16) Establishing provisions related to transfers of wildfire protection property;
- (17) Establishing provisions related to recovery bonds;
- (18) Establishing provisions related to security interests in recovery property and financing statements;
- (19) Establishing provisions related to transfers of recovery property; and
- (20) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on 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. 3096, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3096, 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, none. Excused, 2 (Fukunaga, Awa).

SRep. 2675 (Joint) Energy, Economic Development, and Tourism and Government Operations on S.B. No. 2677

The purpose and intent of this measure is to:

- (1) Amend the entity responsible for approving a variance for the installation of solar water heater systems from the Chief Energy Officer to the appropriate county planning department; and
- (2) Require the fees collected by each county planning department to be deposited into the appropriate county planning department operating fund.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office and County of Hawai‘i Planning Department.

Your Committees received testimony in opposition to this measure from the Maui County Office of the Mayor and Blue Planet Foundation.

Your Committees received comments on this measure from Hawai'i Gas.

Your Committees find that county planning departments possess an in-depth understanding of the unique environmental, economic, and infrastructural characteristics that define their respective regions. Your Committees further find that transferring solar water heater variance decision-making to the counties capitalizes on the localized expertise present in each jurisdiction. This measure enables the counties to stay at the forefront of developments and update policies to reflect the latest technological, economic, and environmental considerations.

Your Committees have amended this measure by:

- (1) Replacing references to "county planning department" with "county authority having jurisdiction over building permits";
- (2) Inserting language to authorize a homeowner, or homebuilder on behalf of a future homeowner, to attest for or submit a variance application;
- (3) Clarifying that a demand water heater device approved by a nationally recognized testing laboratory, rather than Underwriters Laboratories, Inc., is eligible for a variance;
- (4) Inserting language that expands qualified attestations for a variance application;
- (5) Inserting language to require solar water heater variance requests to be submitted concurrently with the building permit application; provided that if the building permit application indicates the installation of a solar water heater, and a different water heating technology is installed after the building permit is issued, any solar water heater variance request submitted before or after the completion of the new single-family dwelling's construction shall be automatically denied;
- (6) Inserting an effective date of January 1, 2060, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note the County of Hawaii's testimony proposing additional amendments to include into this measure and request that these concerns be considered further by subsequent committees who may choose to deliberate on this measure.

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. 2677, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2677, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 5. Noes, none. Excused, none.

SCRep. 2676 Energy, Economic Development, and Tourism on S.B. No. 2951

The purpose and intent of this measure is to make an appropriation to the Agribusiness Development Corporation to establish positions to maintain and improve the East Kauai irrigation system and for maintenance of and improvements to the system.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Department of Hawaiian Home Lands; Agribusiness Development Corporation; County of Kauai Office of the Mayor; County of Kauai Office of Economic Development; Local Food Coalition; Ulupo Initiative; Hawai'i Farm Bureau; Larry Jeffs Farms, LLC; Saiva Siddhanta Church; Lin's Farms; Kalepa Coalition; West Kauai Business and Professional Association; Kaua'i Chamber of Commerce, Inc.; East Kauai Water Users' Cooperative; and three individuals.

Your Committee finds that the East Kauai irrigation system is a critical irrigation system that supports agricultural production in the State and is relied upon by numerous farmers and ranchers. Your Committee further finds that the East Kauai irrigation system is a century-old system that requires repair, renovation, and improvements. This measure makes a necessary appropriation for maintenance and improvements to the East Kauai irrigation system to continue to provide irrigation water to farm operations in East Kauai.

Your Committee notes that this measure contains an appropriation for an unspecified amount. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider an appropriate amount to be inserted.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2060, 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. 2951, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2951, 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. 2677 Energy, Economic Development, and Tourism on S.B. No. 3045

The purpose and intent of this measure is to:

- (1) Increase the cap for awards to assist businesses applying for the Small Business Innovation Research Grant Program and the Small Business Technology Transfer Grant Program of the Hawaii Technology Development Corporation;
- (2) Add the purchase of renewable energy systems as an eligible expense under the Manufacturing Development Grant Program; and
- (3) 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 Hawaii Technology Development Corporation; Department of Business, Economic Development, and Tourism; University of Hawai'i System; Chamber of Commerce Hawaii; and Hawaii Food Industry Association.

Your Committee received comments on this measure from Oceanit.

Your Committee finds that it is critical for the State to diversify the local economy by developing a flourishing technology industry that provides quality, high-paying jobs for Hawaii residents. Therefore, this administrative measure makes various amendments to the Hawaii Technology Development Corporation law under chapter 206M, Hawaii Revised Statutes. Specifically, this measure will encourage and assist applicants to obtain federal grants by increasing the cap for awards that may be used to contract grant writing assistance; increase workforce productivity and wages by clarifying that training on new or existing manufacturing equipment is an eligible expense under the Manufacturing Development Grant Program; and help manufacturers offset the high energy costs in Hawaii by adding the purchase of renewable energy systems as an eligible expense under the Manufacturing Development Grant Program.

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. 3045, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3045, 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. 2678 Energy, Economic Development, and Tourism on S.B. No. 3195

The purpose and intent of this measure is to amend the definition of "renewable energy producer" in section 171-95, Hawaii Revised Statutes, to allow renewable energy producers to sell to entities other than an electric utility company regulated under chapter 269, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Department of Land and Natural Resources; and Tigershark, LLC.

Your Committee received testimony in opposition to this measure from the International Brotherhood of Electrical Workers Local Union 1260.

Your Committee received comments on this measure from the Public Utilities Commission, Hawaiian Electric, and Ulupono Initiative.

Your Committee finds that it is the goal of the State to achieve a one hundred percent renewable energy portfolio standard by 2045, which includes reducing greenhouse gas emissions to at least fifty percent below 2005 levels. Greenhouse gas emissions are not just the result of electricity generation but are also the result of transportation and aviation sectors, which utilize fossil fuels. With the advancement of various technologies, there are now more renewable fuel options available to help facilitate the replacement of fossil fuels and mitigate carbon emissions, including those produced by transportation and aviation that can help the State reach its renewable energy goals. This measure will further the State's renewable energy goals by allowing renewable energy producers to sell to entities other than an electric utility.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2060, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes the Public Utility Commission's concern that, to the extent this measure enables, the Commission underscores the need to carefully identify and examine the policies and procedures required to implement retail wheeling. Your Committee requests these matters be further considered by subsequent committees who may choose to deliberate on this measure.

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. 3195, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3195, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2679 Health and Human Services on S.B. No. 3128

The purpose and intent of this measure is to repeal the requirement to transfer the Oahu Regional Health Care System 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, Hawaii Health Systems Corporation, and Hawaii Health Systems Corporation Oahu Region.

Your Committee finds that Act 212, Session Laws of Hawaii 2021 (Act 212), mandated the transfer of the Oahu Regional Health Care System from the Hawaii Health Systems Corporation to the Department of Health, to assist with addressing the gap in the behavioral health care system between acute psychiatric care facilities and low acuity residential treatment. However, the planned transfer of the Oahu Regional Health Care System was estimated at \$10.3 million, with an annual post-transition cost of \$5 million, creating a high cost to complete the transition and maintain operations with no additional services. Therefore, this measure provides an alternative plan to addressing the goals of Act 212 while ensuring continuity of services for patients utilizing services at the Oahu Regional Health Care System.

Your Committee has amended this measure by:

- (1) Amending Act 212, Session Laws of Hawaii 2021, to repeal part II, which contains language that would have gone into effect on December 31, 2025, regarding the transfer of the Oahu Regional Health Care System to the Department of Health;
- (2) Inserting language to require the Oahu Regional Health Care System and the Department of Health to enter into an agreement regarding Oahu Regional Health Care System taking care of low acuity patients in the Department of Health's custody by the end of 2024;
- (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. 3128, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3128, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2680 Transportation and Culture and the Arts on S.B. No. 3183

The purpose and intent of this measure is to:

- (1) Provide authority for a county to impose a mileage-based road usage charge;
- (2) Provide for disposition of funds of a county mileage-based road usage charge;
- (3) Clarify the disposition of funds of a state mileage-based road usage charge; and
- (4) Repeal the maximum amount a driver will pay in a mileage-based road usage charge on June 30, 2028.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii State Energy Office, Oahu Metropolitan Planning Organization, one member of the Honolulu City Council, one member of the Kaua'i County Council, and Ulupono Initiative.

Your Committee received testimony in opposition to this measure from the Hawai'i Automobile Dealers' Association and three individuals.

Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that as fuel tax revenues decline, the Department of Transportation supports the adoption of a per-mile road usage charge to provide fair and sustainable funding for the State's road infrastructure. Your Committee further finds that permitting counties to do this will result in lower administrative costs for the state and county agencies tasked with implementing the road usage charge and create more efficiency and simplicity for the traveling public as the State begins transitioning to a fair and sustainable source of transportation funding. This measure will promote fairness and guarantee a continual and equitable source of funding for road maintenance as the State works towards decarbonizing ground transportation.

Your Committee has amended this measure by:

- (1) Adding the definition of "motor vehicle" to the county mileage-based road usage charge;
- (2) Amending the definition of "motor vehicle" in section 431:10C-103, Hawaii Revised Statutes;
- (3) Adding language to authorize the State Highway Fund to be expended for purposes and functions connected with traffic control and preservation of safety on public highways and streets;
- (4) Deleting language that established county subaccounts within the State Highway Fund;
- (5) Adding language to authorize the State Highway Fund to be expended by the counties for the acquisition, design, construction, improvement, repair, and maintenance of pedestrian walkways; 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. 3183, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3183, 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. 2681 Transportation and Culture and the Arts on S.B. No. 367

The purpose and intent of this measure is to:

- (1) Cap the service charges for a primary and secondary ticket seller;
- (2) Require website operators to guarantee refunds in certain circumstances and disclose that the website is not the primary ticket seller;
- (3) Prohibit variable demand pricing, speculative tickets, and the usage of bots; and
- (4) Make conforming amendments.

Your Committee received testimony in support of this measure from Rick Bartalini Presents.

Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs Office of Consumer Protection.

Your Committee finds that customer frustration with the ticket-purchasing process for popular events is on the rise due to a lack of transparency. Your Committee further finds that technology has proliferated and enabled secondary market profiteers, commonly known as scalpers, who exacerbate the frustrations of the ticket-purchasing process to the detriment of ordinary consumers. While the issue of secondary market profiteers is multifaceted, your Committee believes that an intermediate approach is the most pragmatic at providing consumers with protection and fairness in the ticket—purchasing process.

Your Committee has amended this measure by:

- (1) Deleting the contents of the chapter except language prohibiting tickets to be sold at a higher price than the original price charged by the primary venue ticket provider;
- (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 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. 367, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 367, 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 (Awa).

SCRep. 2682 (Joint/Majority) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on S.B. No. 2443

The purpose and intent of this measure is to:

- (1) Establish the Automated Speed Enforcement Systems Program;
- (2) Authorize the State or counties to administer the Automated Speed Enforcement Systems Program;
- (3) Require fines collected beginning January 1, 2025, for violations on a county highway to be expended for the operation of the Automated Speed Enforcement Systems Program;
- (4) Create a new offense of noncompliance with the posted speed limit under the Automated Speed Enforcement System; and
- (5) Appropriate funds.

Your Committees received testimony in support of this measure from the Department of Transportation, Disability and Communication Access Board, Department of Transportation Services of the City and County of Honolulu, Honolulu Police Department, and one individual.

Your Committees received testimony in opposition to this measure from the Office of the Public Defender and two individuals.

Your Committees received comments on this measure from The Judiciary and Department of Budget and Finance.

Your Committees find that the prevalence of drivers who violate state traffic laws, particularly drivers who speed, place other roadway users and pedestrians at greater risk. According to the Department of Transportation, speeding has contributed to almost fifty percent of all motor vehicle fatalities. This measure establishes an Automated Speed Enforcement Systems Program to protect Hawaii's roadways and promote public safety.

Your Committees have amended this measure by:

- (1) Clarifying this measure as an emergency appropriation;
- (2) Clarifying that the Automated Speed Enforcement Systems Program is to be implemented in not more than ten school zones throughout the State;
- (3) Clarifying that the purpose of the general fund appropriation is to appropriate funds for the establishment and implementation of the Automated Speed Enforcement Systems Program in not more than ten school zones;

- (4) Adding language to appropriate funds from the Highway Safety Fund into the Automated Speed Enforcement Systems Program Special Fund;
- (5) Adding language to appropriate funds from the Automated Speed Enforcement Systems Program Special Fund for ten radar devices and one full-time equivalent consultant position;
- (6) Specifying that the appropriations shall not lapse at the end of the fiscal biennium; provided that all moneys from the appropriations unencumbered as of June 30, 2026, shall lapse as of that date;
- (7) Making conforming amendments;
- (8) Inserting an effective date of January 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 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. 2443, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2443, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation 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. 2683 Health and Human Services on S.B. No. 3279

The purpose and intent of this measure is to:

- (1) Establish within the Office of Wellness and Resilience the State of Well-Being Project to assess and enhance tier 1 and tier 2 mental health support services for all key stakeholder communities across the State; and
- (2) Make an appropriation to establish an unspecified number of full-time equivalent mental health specialist positions within the Office of Wellness and Resilience.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, Office of Wellness and Resilience, Hawai'i Health and Harm Reduction Center, Hawai'i Children's Action Network Speaks!, Filipino Mental Health Initiative – Hawaii, Maui Chamber of Commerce, and three individuals.

Your Committee finds that the State is experiencing a mental health crisis among all ages of the population. Trauma-informed care, an approach to understanding and responding to the widespread impact of trauma, provides one method to address mental health through safety, peer support, empowerment, and voice and choice. This measure provides additional support for trauma-informed care and trauma-responsive practice that will benefit both the public who interact with these systems and the State's workforce.

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. 3279 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. 2684 (Joint) Energy, Economic Development, and Tourism and Water and Land on S.B. No. 3381

The purpose and intent of this measure is to:

- (1) Establish the Lele Community District to facilitate rebuilding in Lahaina;
- (2) Establish the Lele Community Special Fund;
- (3) Amend the Hawaii Community Development Authority membership to include the members representing the new district; and
- (4) Make an appropriation into the Lele Community Special Fund for the purpose of the Lele Community District.

Prior to the hearing on this measure, your Committees posted and made available for public view a proposed S.D. 1, which amends this measure by:

- (1) Establishing state lands within the boundaries of the Lele Community District;
- (2) Establishing the Lele Community District Board, specifying its powers and the election procedures for its members;
- (3) Clarifying the relationship between the Board and the Hawaii Community Development Authority; and
- (4) Making various appropriations to effectuate the measure.

Your Committees received testimony in support of the proposed S.D. 1 from the Hawai'i Community Development Authority; Department of Business, Economic Development, and Tourism; one member of the Honolulu City Council; Ho'omana Pono, LLC; and five individuals.

Your Committees received testimony in opposition to the proposed S.D. 1 from six individuals.

Your Committees received comments on the proposed S.D. 1 from the Office of the Governor; Office of Elections; Department of Budget and Finance; Maui County Office of the Mayor; one member from the Maui County Council; Historic Hawai'i Foundation; Lahaina Strong; Maui Chamber of Commerce; and one individual.

Your Committees find that the August 2023 Maui wildfires devastated Lahaina's heritage, economy, and sense of place, and has deeply affected housing, businesses, jobs, and treasured resources. Your Committees further find that if Lahaina is not rebuilt in a deliberate, coordinated, and expeditious manner, the area may languish in the long term and affect the well-being of the land, the people, and the economy. This measure provides an opportunity to rebuild Lahaina by preserving and reintroducing its valued resources in a manner that reflects the values and priorities of its residents and businesses, and addresses future challenges, including climate change and affordable housing.

Your Committees have amended this measure by adopting the proposed S.D. 1 and further amending the measure by:

- (1) Inserting language to require that the first election of the Lele Community District Board take place on January 31, 2025;
- (2) Inserting an appropriation of \$250,000 for the Office of Elections to conduct the special Lele election in January 2025;
- (3) Inserting language clarifying that the assessment for operating costs shall not constitute a tax on real property;
- (4) Inserting language requiring that the assessments for operating costs shall be deposited into the Lele Community Special Fund;
- (5) Clarifying that the transfer of state-owned lands within the Lele Community District shall be determined by the Lele Community District Board;
- (6) Authorizing, rather than requiring, the Lele Community District Board to adopt rules;
- (7) Deleting language that would have required the initial members of the Lele Community District Board to be appointed by the Governor, subject to the advice and consent of the Senate;
- (8) Clarifying that there shall be nine members on the Lele Community District Board; and
- (9) Inserting an effective date of January 1, 2060, to encourage further discussion.

Your Committees note the Hawaii Community Development Authority's request that from the date of approval of this measure until the Lele Community District Board is elected, the Hawaii Community Development Authority should be allowed staff to carryout preliminary work, including finding office space, hiring and retention of staff, and engaging with community members. Your Committees further notes that the initial assessments of the Lele Community District by the Lele Community District Board prioritize landowners with large areas of land affected, as these residents are especially concerned about recovery of their losses. Your Committees additionally note the possible establishment of advisory groups to the Lele Community District Board that would include general cultural specialists, owners of Maui's small businesses, Maui's nonprofit organizations, and individual residents with business ties. Having this advisory group assist and guide the Lele Community District Board in their development plans may provide affected Lahaina residents with comfort in knowing that the coordinated recovery plans are being developed by those who have strong ties to the Lahaina community. Accordingly, your Committees find that these issues merit further discussion and respectfully request that subsequent committees who choose to deliberate on this measure consider these comments.

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. 3381, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3381, 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.

Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 2685 Government Operations on S.B. No. 2994

The purpose and intent of this measure is to:

- (1) Require that the adoption, amendment, or update of a building code or standard by the State Building Code Council be within two years of every other official publication date of a code or standard; and
- (2) Clarify that the Hawaii State Building Code acts as the interim county building code until superseded by the county.

Your Committee received testimony in support of this measure from D.R. Horton Hawaii LLC, HPM Building Supply, Grassroot Institute of Hawaii, NAIOP Hawaii, Holomua Collaborative, and Building Industry Association of Hawaii.

Your Committee received testimony in opposition to this measure from the Subcontractors Association of Hawaii; Blue Planet Foundation; American Society of Heating, Refrigerating and Air Conditioning Engineers; and Sierra Club of Hawai'i.

Your Committee received comments on this measure from the Hawaii State Energy Office and Hawai'i Energy.

Your Committee finds that under the existing law, the Hawaii State Building Code Council (Council) must adopt, amend, or update certain widely recognized nationally published codes or standards identified under section 107-25, Hawaii Revised Statutes, within two years of any official publication date of a code or standard. Your Committee recognizes that the State continues to experience a housing shortage and that this is intended to facilitate the construction of housing in the State while providing sufficient time for the Council, along with industry stakeholders, to adequately review the new codes or standards, assess potential changes and financial impacts to homeowners and builders, and adapt certain codes or standards to Hawaii's unique island environment. However, your Committee acknowledges the concerns raised by multiple testifiers that this measure would further delay the adoption of critical building codes and standards that are not only necessary for the life, health, and safety of communities in the State, but also for the State to receive federal funding for infrastructure resiliency projects and to meet its climate change and renewable energy goals. Accordingly, this measure needs to be amended to address this issue.

Your Committee has amended this measure by:

- (1) Amending language for the requirement of the State Building Code Council to adopt, amend, or update a building code or standard within two years of every other official publication date of a code or standard to only apply to the International Building Code and the International Residential Code, as published by the International Code Council;
- (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. 2994, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2994, 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. 2686 Government Operations on S.B. No. 2579

The purpose and intent of this measure is to require that all newly constructed state buildings where a water fountain is required also have a water bottle filling station.

Your Committee received testimony in support of this measure from one member of the Honolulu City Council.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee received comments on this measure from the Department of Accounting and General Services.

Your Committee finds that reducing waste is necessary to protect the State's delicate island ecosystem. Your Committee also finds that having a water bottle filling station at new state buildings would not only contribute to the State's environmental protection goals, but also create greater accessibility to potable water for the public.

Your Committee further finds that the Department of Accounting and General Services can have water bottle filling stations at new state buildings without a legislative mandate, as was noted in the testimony in opposition, making this measure unnecessary. Although your Committee agrees with this observation, your Committee believes that this important policy merits further consideration.

Your Committee has amended this measure by:

- (1) Clarifying that the requirement to have a water bottle filling station applies to new state building constructions that commence on or after July 1, 2025;
- (2) Inserting language that exempts certain state buildings from having a water bottle filling station when having one presents a health, safety, or security risk to the building's users; and
- (3) 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. 2579, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2579, 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. 2687 Government Operations on S.B. No. 2816

The purpose and intent of this measure is to:

- (1) Add a new chapter in the Hawaii Revised Statutes that:
 - (A) Requires the Lieutenant Governor to assess a fee of \$10 for each apostille or non-apostille certification issued;
 - (B) Establishes an Apostilles and Certificate Special Fund; and
 - (C) Allows the Office of the Lieutenant Governor to expend moneys in the special fund for operational purposes;
- (2) Appropriate \$10,000 into the Apostilles and Certifications Special Fund;
- (3) Require all state agencies to:
 - (A) Before adopting, amending, or repealing an administrative rule, provide electronic notice of the proposed rulemaking to certain persons;
 - (B) When adopting, amending, or repealing an administrative rule, display changes to the rules in Ramseyer format; and
 - (C) Make the full text of their rules available on the Office of the Lieutenant Governor's internet website in a digitally accessible and searchable format; and
- (4) Make appropriations for the project for centralization of the full text of the Hawaii Administrative Rules for public access on the Lieutenant Governor's website.

Your Committee received testimony in support of this measure from the Grassroot Institute of Hawaii.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee received comments on this measure from the Office of the Lieutenant Governor and Department of the Attorney General.

Your Committee finds that the Lieutenant Governor's office processes nearly eleven thousand apostilles per year. As apostilles are critical documents utilized in divorce proceedings, marriage certificates, and un-probated wills, these documents serve a significant purpose in a variety of settings. This measure will promote efficiency with existing government operations to provide Hawaii's people with timely access to services.

Your Committee has amended this measure by:

- (1) Deleting part I of this measure and replacing it with the contents of S.B. No. 3169, a substantially similar measure that:
 - (A) Adds a new chapter in the Hawaii Revised Statutes that:
 - (i) Allows the Office of the Lieutenant Governor to assess a fee for each apostille or non-apostille certification issued;
 - (ii) Establishes an Apostilles and Certificate Special Fund;
 - (iii) Allows the Office of the Lieutenant Governor to expend moneys in the special fund for operational and administrative expenses of the apostille and certification of document services; and
 - (iv) Requires the Office of the Lieutenant Governor to adopt rules;
 - (B) Appropriate \$12,000 into and out of the Apostilles and Certifications Special Fund for operational and administrative expenses of the apostille and certification of document services;
- (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. 2816, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2816, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2688 (Joint) Labor and Technology and Higher Education on S.B. No. 3317

The purpose and intent of this measure is to establish a collective bargaining unit for graduate assistants employed by the University of Hawaii and community college system.

Your Committees received testimony in support of this measure from the University of Hawaii Professional Assembly; National Education Association; Hawaii State Teachers Association; United Public Workers, AFSCME Local 646, AFL-CIO; Democratic Party of Hawai'i; Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO; UNITE HERE Local 5; Americans for Democratic Action; ILWU Local 142; the Democratic Party of Hawai'i Labor Caucus; Academic Labor Union; Democratic Party of Hawai'i Education Caucus; Academic Labor United; Law Office of Lance D. Collins; Hawai'i Workers Center; National Education Association National Council on Higher Education; and one hundred eighty-one individuals.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees received comments on this measure from the Hawai'i Labor Relations Board, Department of Budget and Finance, and University of Hawai'i System.

Your Committees find that the Hawai'i Labor Relations Board determined that graduate assistants at the University of Hawaii are public employees as defined under section 89-2, Hawaii Revised Statutes (HRS). Your Committees further find that the Hawaii Labor Relations Board also concluded that graduate assistants are not included in bargaining units (1), (2), (4) through (6), (9) through (12), (14), or (15) that are identified in section 89-6, HRS. Therefore, this measure establishes a collective bargaining unit for graduate assistants to allow these public employees the right and ability to collectively bargain the terms and conditions of their jobs.

Your Committees note the concerns raised during the public hearing on this measure relating to graduate assistants' benefits received as both students and workers. Testimony of the Department of Budget and Finance and University of Hawaii provided that the tuition waiver received by University of Hawaii graduate assistants is not considered taxable income. In addition to receiving a graduate level education, graduate assistants enjoy a plethora of other benefits, including counseling, mentoring, and other benefits exclusive to students at the University.

Your Committees have amended this measure by:

- (1) Inserting a definition of "graduate assistants"; and
- (2) Inserting an effective date of July 1, 2055, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Labor and Technology and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3317, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3317, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair and President on behalf of the Committees.
Labor and Technology: Ayes, 3. Noes, none. Excused, 2 (Ihara, Lee).
Higher Education: Ayes, 4. Noes, none. Excused, 1 (Hashimoto).

SCRep. 2689 (Joint) Labor and Technology and Government Operations on S.B. No. 2516

The purpose and intent of this measure is to:

- (1) Rename the position of state Chief Information Officer as the Deputy Comptroller for Information Technology; and
- (2) Specify that the Deputy Comptroller for Information Technology shall be appointed by, and shall report to, the Comptroller.

Your Committees received testimony in opposition to this measure from the Office of Enterprise Technology Services and one individual.

Your Committees received comments on this measure from the Department of Accounting and General Services.

Your Committees find that currently the Office of Enterprise Technologies is attached to the Department of Accounting and General Services, however, it has near full autonomy as an attached agency. The Office of Enterprise Technology currently reports directly to the Governor and the Chief Information Officer who is appointed by the Governor. This leads to a unique situation where in statute, the Comptroller has managerial responsibility over the Office of Enterprise Technology, but in practice, this is not the case. This measure corrects this organizational and hierarchical glitch.

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. 2516, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2516, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Lee).
 Government Operations: Ayes, 5. Noes, none. Excused, none.

SCRep. 2690 (Majority) Transportation and Culture and the Arts on S.B. No. 3021

The purpose and intent of this measure is to rename and expand the scope of the Electric Bicycle and Electric Moped Rebate Program to the Electric Mobility Rebate Program, and increase the potential rebate amount.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawai'i State Energy Office, Hawai'i Climate Change Mitigation and Adaptation Commission, Oahu Metropolitan Planning Organization, 350 Hawai'i, Blue Planet Foundation, Hawai'i Bicycling League, Ulupono Initiative, and seven individuals.

Your Committee received testimony in opposition to this measure from the Moped Doctors and one individual.

Your Committee finds that the single greatest recent factor contributing to the increasing cost of living in Hawaii is the rising cost of transportation. The legislature further finds that meeting the State's lower cost of living and clean energy goals necessitates the rapid transition to electric vehicles that utilize local, renewable energy sources. Therefore, this measure will create cheaper transit options by providing increased rebates for electric bicycles, electric mopeds, and other electric mobility devices.

Your Committee has amended this measure by:

- (1) Adding language to define adaptive electric bicycles and qualifying them for the full rebate;
- (2) Increasing the cap on total rebates the Department of Transportation may issue from \$700,000 to \$2,000,000;
- (3) Repealing language that would have required signatures at the time of sale;
- (4) Deleting language that would have required the Department of Transportation to prepare a retailer application and portal to provide rebates directly at the point of sale;
- (5) Adding language to authorize the Department of Transportation to prepare a retailer application and portal to provide rebates at the point of sale;
- (6) Clarifying that the Department of Transportation may contract with third-party administrators for the program, who are authorized to pay the rebates;
- (7) Adding language to authorize expenditure to the Department of Transportation;
- (8) Amending section 1 to reflect its amended purpose; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the 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. 3021, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3021, 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. 2691 Transportation and Culture and the Arts on S.B. No. 2201

The purpose and intent of this measure is to require license plates to include okinas and authorize the use of all uppercase letters, all lowercase letters, or initial capital letters in motor vehicle license plates.

Your Committee received testimony in support of this measure from the Office of the Mayor of the County of Hawaii, Department of Customer Services of the City and County of Honolulu, and Ulupono Initiative.

Your Committee received testimony in opposition to this measure from the Honolulu Police Department.

Your Committee finds that existing law does not permit the inclusion of the 'okina on license plates. Your Committee recognizes the importance of diacritical marks to both native and second language speakers of Hawaiian language. This measure therefore will support the broader implementation of Hawaiian diacritical marks across more aspects of the state government, including license plates.

Your Committee has amended this measure by:

- (1) Limiting special number plates for environmental conservation to electric vehicles only, with all the benefits and restrictions of electric vehicle plates; and
- (2) Making 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. 2201, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2201, 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. 2692 (Majority) Transportation and Culture and the Arts on S.B. No. 3287

The purpose and intent of this measure is to:

- (1) Change the fees that a towing company may charge to tow vehicles left unattended on private and public property; and
- (2) Require certain towing companies to maintain certificates of good standing issued by the Department of Commerce and Consumer Affairs.

Your Committee received testimony in support of this measure from Outwest Towing, LLC; Pinky Tows Pacific; Finest Towing; Quick Tow, LLC; and nine individuals.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs' Office of Consumer Protection and Hawaii Insurers Council.

Your Committee finds that in 2020, the Legislature strengthened the protections available to consumers under state law that was intended to provide more robust public and private enforcement tools to deter unlawful practices by towing companies. According to testimony received by your Committee, towing rates have not been raised since 2008, even though inflation has caused operating costs to increase dramatically. This measure will allow towing companies to meet current market standards and match towing rates to the current economy.

Your Committee has amended this measure by:

- (1) Amending all fees to be unspecified amounts;
- (2) Deleting language that would have required each towing company engaged in towing to achieve and maintain a certificate of good standing issued by the Department of Commerce and Consumer Affairs;
- (3) Adding language that authorizes a towing company or parking management company to charge a fee for the placement or removal of vehicle immobilization devices;
- (4) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation 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. 3287, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3287, 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. 2693 (Majority) Housing on S.B. No. 2078

The purpose and intent of this measure is to prohibit a landowner from bringing a private cause of action against a contractor, developer, or owner of affordable housing for trespass in instances where a temporary construction crane or other construction machinery intrudes into the landowner's airspace during construction, repair, or maintenance of affordable housing; provided that the conduct does not materially interfere with the landowner's actual use of the landowner's premises.

Your Committee received testimony in support of this measure from the Building Industry Association of Hawaii.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that Hawaii is currently undergoing a housing crisis. As necessary housing is constructed and new projects are undertaken, the area in which the construction occurs can become congested, which may include the use of construction cranes in high-density areas. This measure allows developers some leeway when constructing affordable housing projects to protect against certain trespass claims.

Your Committee has amended this measure by:

- (1) Clarifying that the limits to liability granted by this measure shall apply only to conduct that occurs not less than twenty-five feet above the airspace of a neighboring landowner's premises;
- (2) Inserting a definition for "temporarily" to mean the duration of the construction; provided the project is being constructed in good faith;
- (3) Clarifying the trespass liability protections apply both when a crane is and is not in use; 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. 2078, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2078, S.D. 1, and be referred to your Committee on Judiciary.

Signed by President on behalf of the Committee.
Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 2694 (Joint) Government Operations and Agriculture and Environment on S.B. No. 3260

The purpose and intent of this measure is to require that, by an unspecified date, one hundred percent of the food purchased by certain state departments consist of fresh local agricultural products and local value-added, processed, agricultural, or food products.

Your Committees received testimony in support of this measure from the Agribusiness Development Corporation; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; Hawai'i Food+ Policy; and three individuals.

Your Committees received testimony in opposition to this measure from the Department of Corrections and Rehabilitation.

Your Committees received comments on this measure from the Department of Agriculture and Department of Education.

Your Committees find that supporting local businesses and encouraging the production and use of local agricultural products are a matter of statewide concern. According to testimony received by your Committees, this measure focuses on creating new markets and revenue streams for local producers, which helps them maintain and create jobs and expand and invest in their agribusiness by securing large institutional contracts. However, your Committees acknowledge the concerns raised by numerous testifiers that various food products are either not available, of insufficient quantity, or are too cost-prohibitive to be procured. Accordingly, this measure needs to be amended to address this issue.

Your Committees have amended this measure by:

- (1) Requiring that, by January 1, 2112, one hundred percent of the food purchased by certain state departments consist of fresh local agricultural products and local value-added, processed, agricultural, or food products;
- (2) Inserting language that requires the Department of Agriculture to consider substitutes and new technology that would assist certain state departments to meet the benchmarks on purchasing fresh local agricultural products and local value-added, processed, agricultural, or food products; and
- (3) 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 Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3260, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3260, 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, none. Excused, 1 (Awa).
Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2695 (Joint) Government Operations and Labor and Technology on S.B. No. 2829

The purpose and intent of this measure is to allow the Department of Accounting and General Services to employ persons exempt from chapter 76 and 89, Hawaii Revised Statutes.

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 United Public Workers, AFSCME Local 646, AFL-CIO and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committees find that the Department of Accounting and General Services (Department) is a central support agency that provides services to agencies and departments statewide, with many programs that are essential to keeping the government functioning. The Department is often tasked with critical enterprise-level projects that necessitate the expedient hiring of uniquely-skilled and specialized staff needed to meet the required timelines, objectives, and outcomes of these projects. This measure will allow the Department to effectively respond to the new and growing needs of those it serves while also increasing the Department's long-term capabilities to effectively carry out the many critical state functions assigned to the Department.

Your Committees have amended this measure by:

- (1) Inserting language allowing the Department of Accounting and General Services to employ persons exempt from chapters 76 and 89, Hawaii Revised Statutes, within the Comptroller's office in support of communications, change management, and business process improvement programs as part of the State's information technology modernization efforts; provided that the persons are members of the State Employees' Retirement System and eligible to receive the benefits of any state employee benefit program applicable to officers and employees of the State;

- (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 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. 2829, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2829, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Government Operations: Ayes, 5. Noes, none. Excused, none.
 Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Lee).

SCRep. 2696 (Joint) Government Operations and Public Safety and Intergovernmental and Military Affairs on S.B. No. 2972

The purpose and intent of this measure is to require all public buildings constructed after January 1, 2025, to be designed to withstand category five hurricanes and be used as shelters in the event of an emergency.

Your Committees received testimony in support of this measure from one member of the Kailua Neighborhood Board; 2050 Hawaii, Inc.; Be Ready Manoa; Hui O Hauula; Windward Coalition; and thirteen individuals.

Your Committees received comments on this measure from the Department of Education.

Your Committees find that the State is vulnerable to catastrophic natural disasters such as earthquakes, tsunamis, floods, volcanic eruptions, and high winds that can devastate communities. Climate change is increasing the frequency of these natural disasters. For example, the spawning area for hurricanes is moving northward as a result of warming seas, causing the State to be more directly in the paths of hurricanes moving westward across the Pacific. As global warming is causing stronger hurricanes, improved emergency preparedness is of paramount importance to the State. Therefore, this measure requires stronger resiliency of public buildings to expand available shelters and increase protection for Hawaii's people.

Your Committees have amended this measure by:

- (1) Clarifying that all high-occupancy public buildings constructed after January 1, 2025, are required to be designed to withstand category five hurricanes, as determined by wind zone maps, and to be utilized as shelters in the event of an emergency;
- (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 records of votes of the members of your Committees on Government Operations 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. 2972, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2972, 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; Ayes with Reservations (San Buenaventura). Noes, none. Excused, none.
 Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 2697 (Joint) Government Operations and Water and Land on S.B. No. 2588

The purpose and intent of this measure is to appropriate funds to the Department of Accounting and General Services for:

- (1) One full-time equivalent (1.0 FTE) historic preservation specialist position; and
- (2) Four full-time equivalent (4.0 FTE) archaeologist positions.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Historic Hawai'i Foundation, and six individuals.

Your Committees received comments on this measure from the Department of Accounting and General Services.

Your Committees find that historic preservation plays a critical role in perpetuating the State's unique history and preservation of the history and cultural practices of Native Hawaiians. Presently, the Department of Accounting and General Services and the State Historic Preservation Division of the Department of Land and Natural Resources are tasked with evaluating and enforcing state and federal historic preservation law. However, the Department of Accounting and General Services does not have an internal subject matter expert, and thereby relies on contractors to complete this crucial work. This measure will improve interdepartmental communication, expedite certain historic preservation mandates, and improve project management and planning for upcoming or pending projects by increasing resources available to the Department of Accounting and General Services.

Your Committees have amended this measure by:

- (1) Appropriating funds for the establishment of four full-time equivalent (4.0 FTE) archaeologist positions and one full-time equivalent (1.0 FTE) historic preservation specialist position within the State Historic Preservation Division of the Department of Land and Natural Resources, instead of in the Department of Accounting and General Services;
- (2) Requiring the State Historic Preservation Division to collaborate with the Department of Accounting and General Services on matters relating to historic preservation;
- (3) Amending section 1 to reflect its amended purpose;

- (4) Inserting an effective date of July 1, 2112, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 2588, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2588, 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, none. Excused, 1 (Awa).
 Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 2698 (Joint) Government Operations and Water and Land on S.B. No. 2948

The purpose and intent of this measure is to:

- (1) Authorize residential uses in areas zoned for commercial to be considered permitted if the residential use is limited by ordinance to floors above the ground floor of a building or structure and development standards are met;
- (2) Exempt areas zoned under the Hawaii Community Development Authority; and
- (3) Require each county to adopt ordinances that authorize for adaptive reuse of existing commercial buildings in the county's building codes.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Housing Finance and Development Corporation, one member of the Kaua'i County Council, one member of the Maui County Council, Oahu Metropolitan Planning Organization, Housing Hawai'i's Future, NAIOP Hawaii, Building Industry Association of Hawaii, Building Owners and Managers Association, Grassroot Institute of Hawai'i, and six individuals.

Your Committees received comments on this measure from the Disability and Communications Access Board.

Your Committees find that the State is experiencing a chronic housing shortage. One alternative, the reuse of commercial buildings for residential purposes, can make an important contribution to easing the State's housing shortage. As commercial centers of older communities had a mix of commercial and residential uses, reintroducing mixed uses increases the supply of available housing while returning to the historic character of certain communities. This measure offers new opportunities to utilize mixed-use housing while alleviating the State's chronic housing shortage.

Your Committees have amended this measure by:

- (1) Requiring the counties to facilitate compliance with the Americans with Disabilities Act of 1990 when adopting an adaptive reuse building code ordinance;
- (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 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. 2948, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2948, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
 Government Operations: Ayes, 4. Noes, none. Excused, 1 (Awa).
 Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 2699 Government Operations on S.B. No. 3307

The purpose and intent of this measure is to:

- (1) Require the Director of the Office of Information Practices to adopt rules to establish a process for the selection and appointment of trusted public representatives;
- (2) Authorize the Director of the Office of Information Practices to assign trusted public representatives to observe board meetings closed to the public;
- (3) Require the Director of the Office of Information Practices to include in the Director's annual report the activities of trusted public representatives;
- (4) Require trusted public representatives to submit a confidential report to the Director of the Office of Information Practices that a board meeting was conducted in conformance with chapter 92, Hawaii Revised Statutes;
- (5) Define "trusted public representative"; and
- (6) Authorize boards to hold certain meetings closed to the public if a trusted public representative is assigned to the meeting by the Director of the Office of Information Practices and is present at the meeting.

Your Committee received testimony in opposition to this measure from the Public First Law Center and League of Women Voters of Hawaii.

Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that the Sunshine Law, codified in chapter 92, Hawaii Revised Statutes, is Hawaii's open meetings law, which governs the manner in which all state and county boards must conduct their official business. The purpose of the Sunshine Law is to require that the discussions, deliberations, decisions, and actions of governmental agencies be conducted as openly as possible for the purposes of transparency and good government practice. Notwithstanding, your Committee finds that when Sunshine boards enter closed meetings, also known as executive sessions, the public is not able to observe these deliberations, which are not open to public scrutiny and participation. Therefore, this measure, as introduced, would help increase transparency and public trust by authorizing a trusted public representative to observe certain closed board meetings.

Notwithstanding, your Committee has heard the concerns raised by testifiers that the role of the trusted public representative, as currently described in this measure, would not provide the necessary safeguards to promote transparency that this measure was intended to address. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by deleting its contents and inserting an amendment to section 92-4, Hawaii Revised Statutes, to authorize representatives of the news media to be allowed to attend certain executive meetings held by a Sunshine board.

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. 3307, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3307, 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. 2700 Government Operations on S.B. No. 618

The purpose and intent of this measure is to:

- (1) Establish the State Permitting Office within the Department of Accounting and General Services to process building and infrastructure permits for construction of state-owned buildings, state roads and highways, and other construction on state lands; and
- (2) Make an appropriation of an unspecified amount of funds for the establishment of the State Permitting Office.

Your Committee received testimony in support of this measure from two individuals.

Your Committee received comments on this measure from the Department of Accounting and General Services and Department of Education.

Your Committee finds that existing permitting procedures are lengthy, causing delays in new construction or major renovations by several years. However, certain state facilities require immediate attention to protect the safety of public users and state employees. This measure ensures government agencies have timely access to building permits for increased efficiency in infrastructure construction and major renovations.

According to testimony received by your Committee, although the State has the ability to exempt itself from the county-driven permitting process, the Department of Accounting and General Services has used the exemption on a very limited basis, because and doing so may create more problems than benefits, such as the inability to obtain liability insurance or county services, which include emergency first response; water, wastewater, and other infrastructure connection; and trash collection.

Your Committee has amended this measure by:

- (1) Deleting section 2 of this measure, which would have established the State Permitting Office and replacing it with language that requires the Department of Accounting and General Services to establish a five-year State Permit Pilot Program to process building and infrastructure permits for the construction of state-owned buildings, state roads and highways, and other construction on state lands in the wildfire disaster declaration area;
- (2) Deleting language that would have made an appropriation of an unspecified amount of funds for the establishment of the State Permitting Office, and replacing it with language that appropriates \$1,000,000 to the Department of Accounting and General Services for the establishment and administration of the first fiscal year of the State Permit Pilot Program;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Inserting an effective date of July 1, 2112, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee respectfully requests that, should your Committee on Ways and Means choose to deliberate on this measure, that it consider language that requires the pursuit of federal disaster funds in response to the destruction from the August 2023 Maui wildfires, similar to that of Kauai from Hurricane Iniki in 1992. Your Committee notes that federal disaster funding should assist the county by providing resources to lessen the permit load and allow the county to concentrate on other county projects and private permitting.

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. 618, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 618, 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. 2701 (Joint) Government Operations and Labor and Technology on S.B. No. 2615

The purpose and intent of this measure is to authorize the counties to adopt labor standards that include but are not limited to standards for living wages, benefits, and requirements for participation in state-approved apprenticeship programs.

Your Committees received testimony in support of this measure from the Office of the Mayor of the City and County of Honolulu, two members of the Honolulu City Council, one member of the Kauai County Council, two members of the Maui County Council, and Pacific Resource Partnership.

Your Committees received comments on this measure from the Department of Labor and Industrial Relations, Department of the Attorney General, General Contractors Association of Hawaii, and Hawaii Harbors Users Group.

Your Committees find that labor violations have a detrimental impact on the livelihoods of the State's local workforce. Businesses that utilize "underground economy" schemes conceal or misrepresent their employee population to avoid one or more of their employer responsibilities related to wages, payroll taxes, insurance, licensing, safety, or other regulatory requirements. By granting the counties the authority to adopt labor standards, each jurisdiction has the ability to protect their workers while ensuring the well-being of individuals and their families. Therefore, this measure provides the counties with an opportunity to be leaders for change while establishing fair labor standards and practices.

Your Committees note their support for this measure, as it will provide opportunities for Hawaii's people to ensure fair pay for an honest day's work. However, your Committees find that amendments to this measure are necessary to insert a defective effective date to provide Maui County with time to weigh in on this measure.

Your Committees have amended this measure by:

- (1) Providing that the labor standards adopted by the counties shall not directly conflict with labor standards established by the State;
- (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 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. 2615, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2615, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 5. Noes, none. Excused, none.

Labor and Technology: Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Lee).

SCRep. 2702 Government Operations on S.B. No. 2743

The purpose and intent of this measure is to authorize 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 testimony in support of this measure from one member of the Maui County Council.

Your Committee received comments on this measure from the Department of the Attorney General and Tax Foundation of Hawaii.

Your Committee finds that certain roadways utilized by the public are owned by private owners. Certain roadways fall into a state of disrepair that create safety concerns for roadway users. However, as the roadways are privately owned, county agencies may not repair a road to address safety and infrastructure concerns. The repair and maintenance of these privately owned roads would not only decrease wear and tear on the privately-owned vehicles that access these roads but would also ensure the safe and timely delivery of essential public services, such as fire and emergency response vehicles. This measure empowers the counties to utilize certain revenues for the repair and maintenance of private roadways that are open to and used by the public to ensure safety and access for all roadway users, including first responders, public transportation, and emergency services.

Your Committee has amended this measure by:

- (1) Inserting legislative findings and specifying that this measure constitutes a public purpose;
- (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. 2743, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2743, 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. 2703 Government Operations on S.B. No. 2139

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 the record's disclosure serves the public interest;

- (3) Waive costs charged to duplicate 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 League of Women Voters of Hawaii, Grassroot Institute of Hawaii, Hawaii Chapter of the Society of Professional Journalists, ACLU of Hawaii, and three individuals.

Your Committee received testimony in opposition to this measure from the Department of Agriculture, Department of the Attorney General, Department of Land and Natural Resources, and thirty-one individuals.

Your Committee received comments on this measure from the Department of Accounting and General Services, Department of Budget and Finance, Department of Human Services, Department of Education, Department of Corrections and Rehabilitation, University of Hawai'i System, Office of Information Practices, Employees' Retirement System, Honolulu Police Department, Public First Law Center, and one individual.

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. Your Committee further finds that imposition of fees on accessing these records may serve as a restriction for certain persons, causing inequity and a less informed citizenry as a whole. This measure will reduce this restriction, thereby improving transparency and accountability in government operations.

Your Committee notes the concerns raised in various testimony regarding the adverse impacts the increase in requests for public records may have on the ability of state departments and agencies to carry out their primary functions. However, your Committee believes that it is crucial to safeguard the financial and operational integrity of resources in the Lahaina area following the August 2023 Maui wildfire. Your Committee further believes that access to government records in necessary for the media and other interested parties to ensure government funds are used appropriately and that relief and recovery programs and policies are carried out with accountability and transparency for this and other potential future disasters, given the historical issues of waste and mismanagement that have followed all disasters.

Accordingly, your Committee has amended this measure by:

- (1) Limiting its scope to apply only during nationally declared disasters;
- (2) Inserting an effective date of July 1, 2112, 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 Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2139, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2139, 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 (Gabbard, Wakai).

SCRep. 2704 Government Operations on S.B. No. 3185

The purpose and intent of this measure is to:

- (1) Authorize an alternative procurement method when the federal government provides for or approves the alternative procurement method and the head of the purchasing agency makes a written determination that it is neither practicable nor advantageous to use the existing statutory procurement methods; and
- (2) Amend the methods of source selection under section 103D-301, Hawaii Revised Statutes (HRS), to allow for alternative procurements.

Your Committee received testimony in opposition to this measure from the State Procurement Office.

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

Your Committee finds that the Hawaii Public Procurement Code was created to promote competition, prevent favoritism and corruption, and increase transparency in government, among other things. Under existing law, all public contracts must be awarded in accordance with certain methods of source selection established under section 103D-301, HRS. However, your Committee finds that there are situations that may arise that make it impracticable or disadvantageous to utilize any of the established methods. Therefore, this measure amends the Hawaii Public Procurement Code to allow a procuring agency to select an alternative procurement method under certain circumstances.

Your Committee has amended this measure by:

- (1) Amending sections 103D-102(b)(4) and 103D-102(b)(4)(L), HRS, to exempt certain construction procurement from the Hawaii Public Procurement Code when it is neither practicable nor advantageous to the State;
- (2) Amending section 103D-405, HRS, to allow the Chief Procurement Officer to provide a waiver for certain outside contractors that participated in the development of a solicitation package that would otherwise be precluded from bidding on or receiving a contract;
- (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.

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. 3185, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3185, 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. 2705 Government Operations on S.B. No. 3226

The purpose and intent of this measure is to provide that a maximum time period to grant or deny a business or development-related permit, license, or approval shall only apply if a request for a contested case has not been filed.

Your Committee did not receive any testimony on this measure.

Your Committee finds that maximum review and approval time periods for business or development-related permits, licenses, and approvals serve to provide all parties with a greater level of certainty of the time required for review and final determination by the issuing agency on any application for a business or development-related permit, license, or approval. This measure brings greater clarity to the business and development-related regulatory approval process.

Your Committee has amended this measure by inserting the phrase “or is required by law” after the phrase “a contested case has not been filed”, to preserve existing statutory timeframes where contested case proceedings are required.

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. 3226, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3226, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Wakai, Awa).

SCRep. 2706 (Joint) Labor and Technology and Government Operations on S.B. No. 3007

The purpose and intent of this measure is to:

- (1) Allow a state department, division, or agency, rather than the Department of Human Resources Development, to conduct a minimum qualification review of applicants for vacant positions within the department, division, or agency; and
- (2) Require the Department of Human Resources Development to provide state departments, divisions, and agencies the applications received for vacancies under certain circumstances.

Your Committees received testimony in support of this measure from the Department of Transportation and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committees received testimony in opposition to this measure from the Department of Human Resources Development.

Your Committees received comments on this measure from the Department of Corrections and Rehabilitation; Hawaii Housing Finance and Development Corporation; Department of Business, Economic Development, and Tourism; and Hawai'i State Public Library System.

Your Committees find that the State is facing an unprecedented number of vacancies in state positions, which exacerbates the state worker shortage, leaving fewer workers to carry the workload, leading to burnout and further worker flight. State departments cannot address this issue directly as the Department of Human Resources Development is responsible for compiling and sending a list of applicants to a department to schedule an interview, which may take up to three to six months. By this time, many qualified applicants have either found a different job or forgotten entirely about continuing the application process for a state job. Your Committees also find that a state department possesses the ability and expertise to review applications and determine whether an applicant meets minimum qualifications for a job within that department. This measure empowers state departments to address vacant positions and eases the burden on state workers and the Department of Human Resources and Development.

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 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. 3007, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3007, 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, 5. Noes, none. Excused, none.

SCRep. 2707 (Joint) Labor and Technology and Energy, Economic Development, and Tourism on S.B. No. 2942

The purpose and intent of this measure is to:

- (1) Allow minors under the age of sixteen to work in theatrical employment provided that the employer procures a valid certificate of employment, and the minor is accompanied by a parent, guardian, or a certain responsible adult;

- (2) Require a nurse certified in basic life support to accompany, supervise, and advocate on behalf of an infant on set who is under the age one;
- (3) Require a studio teacher to accompany, teach, and attend to the well-being of minors who have attained the age of five years and are required to but have been excused from attending school; and
- (4) Define “nurse” and “studio teacher”.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations, IATSE Local 665, SAG-AFTRA, Stonewall Caucus of the Democratic Party of Hawai‘i, Motion Picture Association, Hawaii State AFL-CIO, Pride at Work-Hawai‘i, Hawai‘i Nurses’ Association OPEIU Local 50, and twenty-seven individuals.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that there is currently no law requiring a nurse or studio teacher to be on set each day minors are employed in theatrical employment. Your Committees also find that current agreements between studios and SAG-AFTRA only require a studio teacher to be on set every three consecutive days, creating an exploitable loophole which can be scheduled around. A film set is a fast paced and dangerous place, especially for a minor and their guardians who may not have experience with such environments. This measure offers these individuals greater rights and protections within this environment.

Your Committees have amended this measure by:

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

As affirmed by the records of votes of the members of your Committees on Labor 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. 2942, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2942, 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).

Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Wakai).

SCRep. 2708 (Joint) Labor and Technology and Government Operations on S.B. No. 2526

The purpose and intent of this measure is to:

- (1) Require the Technology Services Consolidation Working Group, established by Act 179, SLH 2022, to:
 - (a) Assist the Office of Information Technology Services in working with certain state agencies to inventory and categorize the business criticality of each major state information technology systems or data set;
 - (b) Determine the appropriate data center or hosting facility requirements; and
 - (c) Report to the Legislature; and
- (4) Extend the working group’s dissolution date to June 30, 2028.

Your Committees received testimony in support of this measure from the Office of Enterprise Technology Services and Servpac.

Your Committees find that data services are essential to running an effective government as it powers critical services, from tax collection to emergency response, and underpins the very fabric of our society. Safeguarding and ensuring the uninterrupted availability of government information technology is extremely important, and a power outage, a cooling system malfunction, or a network disruption could bring an entire system to a standstill, with negative consequences for the State’s citizens and businesses. This measure ensures that the State’s data systems and data are housed within facilities with sufficient backups and redundancies to protect this resource.

Your Committees have amended this measure by:

- (1) Inserting language requiring the working group to ensure all consolidated state data be housed in a facility with the resiliency to perform maintenance without downtime, as well as having contingencies for power outages and other emergencies;
- (2) Changing the sunset date of the working group to June 30, 2026; 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 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. 2526, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2526, 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, 5. Noes, none. Excused, none.

SCRep. 2709 Government Operations on S.B. No. 2116

The purpose and intent of this measure is to require boards to:

- (1) Use interactive conference technology to remotely conduct public meetings in conjunction with in-person meetings that allow for public participation; and
- (2) Archive minutes of meetings on their websites.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii and Public First Law Center.

Your Committee received testimony in opposition to this measure from the Crime Victim Compensation Commission.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs Professional and Vocational Licensing Division, Board of Regents of the University of Hawai'i, and Office of Information Practices.

Your Committee finds that Act 220, Session Laws of Hawaii 2021, allowed boards subject to the State's Sunshine Law the option of using interactive conference technology to conduct remote meetings. Your Committee further finds that remote meetings have increased transparency by allowing more public members to participate even if they live far from the physical location of the meeting. Accordingly, this measure further promotes the public interests in transparency and participation by requiring boards to conduct remote meetings by interactive conference technology and make the minutes of their meetings readily accessible to the public through their websites.

Your Committee has amended this measure by:

- (1) Requiring boards to hold hybrid meetings;
- (2) Requiring boards to also archive the recordings of its meetings on their websites; and
- (3) Inserting an effective date of January 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. 2116, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2116, 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. 2710 Government Operations on S.B. No. 2637

The purpose and intent of this measure is to require the third meeting of a board to deliberate and act on a matter investigated by its members, as required under the Sunshine Law, to be held at least six days after the second meeting.

Your Committee received testimony in support of this measure from the Office of Information Practices, League of Women Voters of Hawaii, Public First Law Center, and one individual.

Your Committee received comments on this measure from the Board of Regents of the University of Hawai'i.

Your Committee finds that for decades, the Sunshine Law has had an exception to the open meetings requirement to permit a limited number of board members, or a permitted interaction group, to investigate an issue, without complying with the open meetings requirement of the Sunshine Law, and report back to the board before a discussion occurs. Existing law requires three different meetings -- to identify the members and scope of the investigative group, for the group to report its findings, and to discuss and act on the report. However, on multiple occasions over the years, boards have tried to circumvent the legislative intent that the public have an opportunity to digest the report before any substantive discussion, by scheduling back-to back second and third meetings. This measure promotes public access and informed decision-making, while preserving a boards' ability to conduct board business through permitted interaction groups.

During the hearing, your Committee received testimony suggesting the need to authorize specific boards to expedite their deliberations on testimony for legislative hearings. This proposal aims to enable these boards, which are directly impacted by proposed legislation, to efficiently convey their position or contribute their input on the legislation within the limited timeframe of the sixty-day session. It is important to note that this expedited process will solely pertain to the deliberations regarding testimony for legislative hearings and will not extend to other board business.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that allows boards to expedite deliberations about testimony for legislative hearings, but not other board business; and
- (2) Making 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. 2637, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2637, 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. 2711 Government Operations on S.B. No. 2570

The purpose and intent of this measure is to:

- (1) Require a protest based on the content of the solicitation to be submitted no later than one day before the receipt of offers, and all other protests be submitted within seven calendar days after the posting of award of the contract;

- (2) Establish that a party is not aggrieved until official action, adverse to that party, has been taken; and
- (3) Amend the minimum percent value of a contract required for parties to a protest of an award to initiate proceedings from ten percent to five percent.

Your Committee received testimony in support of this measure from the General Contractors Association of Hawaii and one individual.

Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that the process for protesting a procurement solicitation, award, or proposed award is confusing and raises questions regarding the fairness of the process. Consequently, agencies have taken inconsistent positions with respect to when a bidder is aggrieved. Your Committee further finds that reducing the percentage for the contract value required for parties to protest an award from ten percent to fifteen percent would not have a meaningful effect on the number of bid protest filed. Accordingly, such reduction is unnecessary. This measure will encourage agencies to engage with bidders throughout the entire procurement process by providing clarity regarding the filing of bid protests.

Your Committee has amended this measure by:

- (1) Codifying the definitions of “bidder”, “offeror”, and “protestor” set forth in sections 3-120-2 and 3-126-1, Hawaii Administrative Rules;
- (2) Clarifying that no protest based upon the content of a solicitation shall be considered unless it is submitted in writing a minimum of one business day before the date set for the receipt of offers;
- (3) Deleting language that would have amended the minimum percent value of a contract required for parties to a protest of an award to initiate proceedings from ten percent to five percent;
- (4) Inserting an effective date of January 1, 2112, 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 Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2570, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2570, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2712 Government Operations on S.B. No. 2873

The purpose and intent of this measure is to establish an advisory commission within the Department of Accounting and General Services to propose names or a change of names for state buildings, parks, facilities, and events.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the names of places in the State represent significant figures in the State’s history and symbolism within Native Hawaiian culture. As many significant historical events have shaped the State, names reflect the memory and identity of a specific place or geographical area. This measure establishes a process to recognize both the State’s unique history and Native Hawaiian culture in the naming of state buildings, parks, facilities, and events.

At the hearing’s conclusion, your Committee discussed the importance of Native Hawaiian involvement in the advisory commission to preserve kanaka maoli cultural heritage when naming state buildings, parks, facilities, and events. In order to achieve this without expanding the size of the commission, your Committee decided to replace the Director of the State Foundation on Culture and the Arts with a member of the Hawaiiinuiakea School of Hawaiian Knowledge to ensure that knowledgeable representation from the Hawaiian community occurs. Accordingly, this measure needs to be amended to ensure knowledgeable representation from the Hawaiian community on the advisory commission without expanding its number of members.

Your Committee has amended this measure by:

- (1) Replacing a member from the State Foundation on Culture and the Arts with a member from Hawaiiinuiakea School of Hawaiian Knowledge on the advisory commission;
- (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. 2873, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2873, 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. 2713 (Joint) Labor and Technology and Health and Human Services on S.B. No. 2474

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 employees of businesses that employ one or more employees, who meet the hourly qualifications; and
- (3) Eliminate the previous threshold of one hundred employees for employers to be subject to the State's family leave law.

Your Committees received testimony in support of this measure from one member of the Hawaii County Council; Executive Office on Early Learning; Office of Hawaiian Affairs; Disability and Communication Access Board; Department of Health; Department of Human Services; Democratic Party of Hawai'i Women's Caucus; Hawai'i Hunger Action Network; Aloha Care; Hawai'i Children's Action Network Speaks!; AARP Hawai'i; Hawai'i Public Health Institute; AAUW of Hawaii; Hawaii State Teachers Association; Stonewall Caucus of the Democratic Party of Hawai'i; Catholic Charities Hawai'i; African American Lawyers Association of Hawai'i; Pride at Work - Hawai'i; UNITE HERE Local 5; Hawai'i Public Health Association; Save Medicaid Hawaii; Indivisible Hawaii Healthcare Team; Rainbow Family 808; Aloha United Way; ACLU of Hawai'i; Leukemia & Lymphoma Society; Hawai'i Family Caregiver Coalition; Chamber of Sustainable Commerce; Democratic Party of Hawai'i; Democratic Party of Hawai'i Education Caucus; Democratic Party of Hawai'i Labor Caucus; Imua Alliance; Mental Health America of Hawai'i; Hawai'i Workers Center; Hawaii Appleseed Center for Law and Economic Justice; Parents and Children Together; The Hawaii Chapter of the American Academy for Pediatrics; Breastfeeding Hawaii; Chamber of Commerce Hawaii; and eighty-six individuals.

Your Committees received testimony in opposition to this measure from the Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO; Retail Merchants of Hawaii; Hawai'i Restaurant Association; United Public Workers, AFSCME Local 646, AFL-CIO; NFIB, Hawaii Chapter; Hawaii Energy Marketers Association; Gyotaku Japanese Restaurants; and the Society of Human Resource Management Hawaii.

Your Committees received comments on this measure from the Department of Labor and Industrial Relations, Department of the Attorney General, Department of Budget and Finance, and Grassroot Institute of Hawaii.

Your Committees find that Hawaii's working families are not adequately supported during times of caregiving and illness. Your Committees also find that statistics show that only seventeen percent of workers in the United States have access to paid family leave from their employer. This can cause people to make the difficult choice to leave their jobs in order to provide care to family members. Your Committees further find that the benefits of paid leave are well established and by providing parents with paid time off to care for newborn or adopted children promotes healthy development, improves maternal health, and enhances a family's economic security. This measure provides families with these benefits by implementing a family leave insurance program, which would also boost employee satisfaction and loyalty within their respective employment.

Your Committees have amended this measure by:

- (1) Clarifying that the family leave insurance fund is a trust fund;
- (2) Inserting language that allows contributions withheld by the employers to be deposited into the family leave insurance trust fund;
- (3) Requiring the Department of Labor and Industrial Relations to collect contributions from employers and employees;
- (4) Requiring collected contributions to be shared at one-half the cost of the premiums per employee;
- (5) Deleting the definition of "designated person" and inserting the definitions of "next of kin", "qualifying service member", "reciprocal beneficiary", and "spouse";
- (6) Deleting the reference to "unpaid leave permitted" in section 398-4, Hawaii Revised Statutes, and replacing it with "paid family leave";
- (7) Inserting a blank appropriation amount and blank full-time equivalent position number necessary for the Department of Labor and Industrial Relations to establish and operate the Family Leave Insurance Program;
- (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.

Your Committees note that although this measure, as amended, contains an unspecified appropriation amount and an unspecified full-time equivalent position number, the Department of Labor and Industrial Relations' testimony requests an appropriation of \$15,730,233 to establish one hundred twenty-two positions for the establishment and operation of the Family Leave Insurance Program. Therefore, your Committees respectfully request that your Committee on Ways and Means consider inserting an appropriation amount of \$15,730,233 for fiscal year 2024-2025.

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. 2474, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2474, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair and President on behalf of the Committees.

Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Lee).

Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Awa).

SCRep. 2714 (Joint) Government Operations and Public Safety and Intergovernmental and Military Affairs on S.B. No. 2058

The purpose and intent of this measure is to:

- (1) Define "community outreach board" to mean a board established to serve in a community advisory capacity under a county commission or a county department;

- (2) Make community outreach boards subject to existing provisions of the Sunshine Law applicable to neighborhood boards; and
- (3) Authorize neighborhood board or community outreach board members to organize meetings or presentations related to official board business statewide.

Your Committees received testimony in support of this measure from two individuals.

Your Committees received testimony in opposition to this measure from two individuals.

Your Committees received comments on this measure from the Office of Information Practices and Public First Law Center.

Your Committees find that county neighborhood and advisory boards provide local communities with opportunities to participate in government. Likewise, community outreach boards serve as an intermediary between residents and government leaders to understand local concerns, gather and disseminate information, and create solutions in a collaborative environment. Therefore, your Committees believe that the Sunshine Law should also apply to community outreach boards. This measure will preserve open access to board activities without hindering the important function community outreach boards serve as a grassroots tool that is essential to thriving communities statewide.

Your Committees have amended this measure by:

- (1) Deleting language that would have included in the definition of a “community outreach board” boards established to serve in an advisory capacity under a county commission;
- (2) Clarifying that the notice and agenda, public input, and quorum requirements of the Sunshine Law apply to community outreach boards created in counties other than the City and County of Honolulu, and overseen by a county-based department;
- (3) Deleting language that would have allowed neighborhood board and community outreach board members to organize meetings or presentations statewide; and
- (4) Inserting an effective date of July 1, 2112, to encourage further discussion.

Your Committees have amended this measure to exclude its applicability to neighborhood boards. However, this creates a subject title problem because the contents of the measure no longer match its title. Your Committees respectfully request that, should this measure move forward in the legislative process, this issue be addressed.

As affirmed by the records of votes of the members of your Committees on Government Operations 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. 2058, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2058, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Gabbard).

Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Rhoads).

SCRep. 2715 Government Operations on S.B. No. 2288

The purpose and intent of this measure is to require any travel report submitted by a state employee, officer, or other representative of any state department or agency, including the Judiciary and University of Hawaii, in connection with out-of-state or intra-state travel for purposes of official state business, 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; Department of Business, Economic Development, and Tourism; and one individual.

Your Committee received comments on this measure from the Department of Law Enforcement and Department of Education.

Your Committee finds that the State’s government should strive for transparency and accountability. This measure will affirm the State’s transparency and accountability by requiring public access to travel reports submitted by any state employees, officers, and other representatives of the State traveling on official state business.

Your Committee notes the testimony of the Department of Education requesting that the measure define the term “other representative of any state department or agency” to clarify whether students and chaperones who travel for the Department’s education and co-curricular programs would be required to submit a travel report. Your Committee also notes the concerns raised the Department of Law Enforcement regarding the lack of an exception for law enforcement operational travel, such as custody transport, fugitive details, and other travel where disclosing the details of the travel will compromise law enforcement operations, tactics, procedures, or safety. Accordingly, this measure needs to be amended to address these concerns.

Your Committee has amended this measure by:

- (1) Inserting a definition of “other representative of any state department or agency” to specify that anyone using state funds for travel must submit a travel report;
- (2) Limiting the information to be disclosed for travel reports relating to law enforcement operations;
- (3) Allowing law enforcement agencies to delay the reporting of their law enforcement operation travel reports to preserve the confidentiality of an investigation or a prosecution;
- (4) Inserting an effective date of July 1, 2112, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 2288, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2288, 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, Wakai).

SCRep. 2716 (Joint) Government Operations and Labor and Technology on S.B. No. 2866

The purpose and intent of this measure is to require the executive branch of the State to develop and maintain a publicly accessible online project management platform.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services, Department of Labor and Industrial Relations, and Office of Enterprise Technology Services.

Your Committees find that government transparency allows the public to review government decisions and provide meaningful feedback by engaging in the political process. Your Committees also find that capital improvement projects are construction projects that provide improvements or additions to state land, buildings, and infrastructure. Your Committees believe that, since these projects are typically large and expensive, the citizenry should have the ability to publicly inspect completed or pending projects and any information related to those projects. This measure will allow the electorate to reasonably express their approval or disapproval for capital improvement projects.

Your Committees have heard the testimony of the Office of Enterprise Technology Services expressing concerns that the online project management platform established by this measure should have a business executive sponsor that can identify the data needed, set rules for use, and validate compliance. Your Committees find that this issue merits further consideration and requests your Committee on Ways and Means examine the issue further should it choose to deliberate on this measure.

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. 2866 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Government Operations: Ayes, 5. Noes, none. Excused, none.
Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Lee).

SCRep. 2717 (Joint) Government Operations and Health and Human Services on S.B. No. 3000

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 in the public buildings the Department maintains.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services; Hawai'i State Public Library System; Hawai'i Civil Rights Commission; State Council on Developmental Disabilities; Judiciary; one member of the Kaua'i County Council; Rainbow Family 808; Stonewall Caucus of the Democratic Party of Hawai'i; Pride at Work-Hawai'i; Breastfeeding Hawaii; Hawaii Medical Service Association; Ma'i Movement Hawai'i, Inc.; Hawai'i Women's Coalition; Save Medicaid Hawaii; ACLU of Hawai'i; IATSE 665; Healthy Mothers Healthy Babies Coalition of Hawaii; Midwives Alliance of Hawaii; and thirty-eight individuals.

Your Committees received testimony in opposition to this measure from surfing4truth and forty-seven individuals.

Your Committees find that eighty-six percent of people who menstruate have started their periods unexpectedly in public, and thirty-four percent have needed to leave what they were doing to retrieve menstrual products at home. Furthermore, your Committees find that for individuals who menstruate, accessible period supplies may be the difference between going to work or missing out on professional development opportunities. Additionally, your Committees find that menstrual products are a basic hygiene necessity for our population like toilet paper, paper towels, and hand soap, which the State already provides free of cost in all bathrooms. Moreover, your Committees find that there have been little to no instances of vandalism, product overuse, waste, or damage to bathroom facilities that currently supply menstruation products as was evidenced in school pilot programs, at the Hawaii State Capitol, and Hawaii State Judiciary. Therefore, this measure establishes wider access to free menstrual products and reduces barriers faced by residents and visitors to state buildings in meeting basic needs.

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 purposes of clarity and consistency.

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. 3000, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3000, 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, none. Excused, 1 (Awa).
Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2718 (Joint) Government Operations and Labor and Technology on S.B. No. 2979

The purpose and intent of this measure is to:

- (1) Establish the Lahaina Recovery Oversight Commission within the Department of Accounting and General Services to oversee and guide the recovery of Lahaina from the August 2023 Maui wildfires;
- (2) Require the Office of Enterprise Technology Services to assist in establishing a website for the Commission;
- (3) Require annual reports; and
- (4) Make an appropriation.

Your Committees received comments on this measure from the Office of the Governor and Department of Accounting and General Services.

Your Committees find that the August 2023 Maui wildfires resulted in loss of life, homes, property, infrastructure, businesses, and natural and cultural resources. As the State seeks to rebuild Lahaina, input from key stakeholders is necessary to ensure Lahaina's residents and businessowners can return and thrive in their home community. Additionally, coordinated efforts between governmental agencies is imperative to ensure a timely, careful recovery of Lahaina. This measure establishes the Lahaina Recovery Oversight Commission to provide the rebuilding and revitalization of Lahaina with effective leadership and guidance.

Your Committees have amended this measure by:

- (1) Adding the following members to the Lahaina Recovery Oversight Commission:
 - (A) A Senator who represents the district that includes Lahaina;
 - (B) A Representative of the House of Representatives who represents the district that includes Lahaina; and
 - (C) The State Disaster Recovery Coordinator;
- (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 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. 2979, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2979, 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.

Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Lee).

SCRep. 2719 (Joint) Government Operations and Labor and Technology on S.B. No. 2636

The purpose and intent of this measure is to:

- (1) Require a board to offer remote testifiers an option to be seen and heard by the board and the public when offering remote testimony; and
- (2) Authorize a board to remove or block any person who intentionally disrupts or compromises the conduct of a meeting.

Your Committees received testimony in support of this measure from the Public First Law Center and one individual.

Your Committees received comments on this measure from the University of Hawai'i System and Office of Information Practices.

Your Committees find that some boards refuse to permit individuals to testify by videoconference without giving certain rights, such as registering in advance of a meeting. Existing law concerning remote meetings permits this behavior as long as the meeting has a telephone conference option. However, this process establishes a tiered system that denies remote testifiers the opportunity to be seen by the board while testifying. This measure will allow remote testifiers to feel confident that the board is receiving the full benefit of their testimony and they are not being ignored in favor of the in-person attendees who the board members can see.

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. 2636 and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 5. Noes, none. Excused, none.

Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Lee).

SCRep. 2720 Government Operations on S.B. No. 2306

The purpose and intent of this measure is to require the Department of Accounting and General Services to:

- (1) Install and maintain automated external defibrillators in all state buildings, no later than January 1, 2025; and
- (2) Provide trainings on the use of automated external defibrillators for certain state employees and security staff.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Executive Office on Early Learning, Honolulu Emergency Services Department of the City and County of Honolulu, one member of the Honolulu City Council, and seven individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee received comments on this measure from the Department of Accounting and General Services.

Your Committee finds that the American Heart Association recommends early defibrillation as a crucial step in the chain of survival for cardiac arrest patients. According to the American Heart Association, defibrillation is most successful when administered as soon as possible after the onset of cardiac arrest. Your Committee believes that the availability of automated external defibrillators in state facilities will enable early defibrillation as the American Heart Association recommends. However, your Committee has determined that the certification program outlined in this measure is too strict and complex. There are many nationally recognized providers in this field and therefore, your Committee proposes amending the measure to allow the Department of Accounting and General Services, in collaboration with the Department of Health, to procure a vendor for this program.

Additionally, your Committee has found that the effectiveness of these devices increases when more people are trained in their usage. Therefore, your Committee suggests further discussion in having the State facilitate public awareness campaigns and training programs, especially in schools. These efforts can empower ordinary citizens to intervene and save lives using these devices and therefore warrants further discussion.

Your Committee has amended this measure by:

- (1) Requiring the Department of Accounting and General Services to collaborate with the Department of Health when contracting for or procuring as necessary the services of another public or private entity to assist with the training on the use of automated external defibrillators;
- (2) Inserting language requiring the Department of Accounting and General Services to, in collaboration with the Department of Education, University of Hawaii, and other relevant parties, administer a public education program on the use of automated external defibrillators;
- (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.

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. 2306, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2306, 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. 2721 (Joint) Agriculture and Environment and Government Operations on S.B. No. 2418

The purpose and intent of this measure is to:

- (1) Require state agencies that monitor environmental toxins and pollutants to establish environmental action levels to ensure the preservation of a safe environment;
- (2) Prohibit modifications to environmental action levels, unless certain procedural requirements are met; and
- (3) Allow any state resident to petition for modifications to an established environmental action level.

Your Committees received testimony in support of this measure from the Honolulu Board of Water Supply, Americans for Democratic Action Hawai'i, and three individuals.

Your Committees received testimony in opposition to this measure from the Department of Health and one individual.

Your Committees find that certain state agencies monitor the presence of environmentally toxic chemicals in the water, soil, and air, and require that remedial actions be taken if pollution levels exceed a level known as an environmental action level (EAL). Your Committees acknowledge that, while the use of EALs can be beneficial for monitoring and regulating environmental pollution, there is currently no standardized or formal process for the establishment or amendment of an EAL. As a result, some state agencies that use EALs have been known to arbitrarily raise, or in some cases lower, an EAL without sufficient public notice or scientific justification. Your Committees find that procedures must be established to provide the public with advance notice and opportunity regarding the establishment of EALs, and to require state agencies that use EALs to provide justification for their decisions. Therefore, this measure establishes procedural and substantive requirements for the establishment and revisions of EALs by state agencies.

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 Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2418, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2418, 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; Ayes with Reservations (Richards). Noes, none. Excused, 2 (DeCoite, Awa).

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2722 (Joint) Agriculture and Environment and Commerce and Consumer Protection on S.B. No. 3303

The purpose and intent of this measure is to:

- (1) Clarify labeling requirements for macadamia nuts;
- (2) Require the country of origin to be included on the label of a consumer package of raw or processed macadamia nuts; and

- (3) Authorize a private right of action for violations.

Your Committees received testimony in support of this measure from the Department of Agriculture; County of Hawai'i Department of Research and Development; Hawai'i Macadamia Nut Association; Hawaii Food+ Policy; Synergistic Hawaii Agriculture Council, Ka'u Farms Management, LLC; Hamakua Macadamia Nut Company, Incorporated; Island Harvest Inc.; OK Farms, LLC; Hawaiian Macadamia Nut Orchards, L.P.; Rancho Aloha; Greenwell Farms, Inc.; Ahualoa Family Farms, LLC; Hawaiian Macadamia Nut Services, LLC; and fifty individuals.

Your Committees received testimony in opposition to this measure from Hawaiian Host Group and one hundred fifty-eight individuals.

Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that macadamia nuts are a popular agricultural export of the State. However, certain portions of the raw or processed macadamia nuts may have been produced in other states or countries before packaging in the State. This measure clarifies the labeling of macadamia nuts to promote a key product from the State's agricultural industry.

Your Committees recognize the concerns raised by the Department of the Attorney General that the country-of-origin labeling requirement in this measure may be subject to a challenge under the United States Constitution's Supremacy Clause, as the origin labeling of macadamia nuts offered for sale is already governed and thereby preempted by federal regulations.

Accordingly, your Committees have amended this measure by:

- (1) Deleting language that would have required the listing of the countries of origin of the portion of the raw macadamia nuts not grown in the State that is included in the package to be shown on the label; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3303, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3303, S.D. 1, 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 (DeCoite).

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

SCRep. 2723 Commerce and Consumer Protection on S.B. No. 3344

The purpose and intent of this measure is to:

- (1) Establish the Hawaii Wildfire Relief Fund and Corporation to provide compensation for property damage resulting from catastrophic wildfires in the State;
- (2) Require the Corporation's board to report to the Legislature; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the Hawaiian Electric Company, Inc.; International Brotherhood of Electrical Workers Local Union 1260; Puna Geothermal Venture-Ormat; Chamber of Commerce Hawaii; Hawaii Leeward Planning Conference; AES Hawai'i; Ulupono Initiative; Hawai'i Island Chamber of Commerce; Kalaeloa Partners L.P.; Kona-Kohala Chamber of Commerce; Mālama Learning Center; Par Hawaii; Maui Chamber of Commerce; and eighty individuals.

Your Committee received testimony in opposition to this measure from State Farm Mutual Automobile Insurance Company and two individuals.

Your Committee received comments on this measure from the Office of the Governor; Department of Commerce and Consumer Affairs; Insurance Division, Division of Consumer Advocacy, and Office of Administrative Hearings of the Department of Commerce and Consumer Affairs; Public Utilities Commission; Department of Budget and Finance; Tax Foundation of Hawaii; and Kaua'i Island Utility Cooperative.

Your Committee finds that as the risk of catastrophic wildfires in Hawaii has increased, so has the threat of property damage from wildfires. Your Committee further finds that while most property owners have insurance, some do not, and others have insurance that may not fully cover their losses. Your Committee finds that litigation related to property damages from wildfires can impose massive costs on the State, counties, utilities, landowners, and others. Therefore, this measure establishes a means to provide compensation for property damage resulting from wildfires and to mitigate losses by establishing the Hawaii Wildfire Relief Fund and Corporation.

Your Committee has amended this measure by:

- (1) Inserting language to prohibit an electric utility that is subject to liability proceedings or insolvency claims from participating in the Hawaii Wildlife Relief Fund, unless it provides a plan to resolve the claims that is approved by the Public Utilities Commission;
- (2) Inserting an effective date of July 1, 2040, 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. 3344, as amended herein, and recommends that it pass

Second Reading in the form attached hereto as S.B. No. 3344, 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. 2724 Commerce and Consumer Protection on S.B. No. 2922

The purpose and intent of this measure is to establish and implement the Catastrophic Wildfire Securitization Act, to allow public utilities to securitize rates in order to raise capital that can be used to pay for costs and expenses arising out of catastrophic wildfires.

Your Committee received testimony in support of this measure from Hawaiian Electric; International Brotherhood of Electrical Workers Local Union 1260; Kaua'i Island Utility Cooperative; Kona-Kohala Chamber of Commerce; Hawai'i Island Chamber of Commerce; Hawaii Leeward Planning Conference; Ulupono Initiative; Mālama Learning Center; AES Hawai'i; Puna Geothermal Venture-Ormat; Par Hawaii; Kalaeloa Partners, L.P.; and seventy-nine individuals.

Your Committee received comments on this measure from the Office of the Governor, Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Department of the Attorney General, Public Utilities Commission, Department of Budget and Finance, and Maui Chamber of Commerce.

Your Committee finds that securitization is a form of financing that helps finance wildfire recovery and mitigation projects at a lower cost to customers than traditional utility financing. Generally, securitization proceeds can be used to reimburse a public utility for certain costs and expenses related to wildfires, using bonds collateralized by recovery property, which is the right to impose, collect, and receive from utility customers the amounts necessary to pay principal and interest on the recovery bonds, as well as other ongoing expenses. Your Committee finds that, in the wake of the August 2023 Maui wildfire, public utilities must raise the capital to fund near-term costs and expenses to develop and implement effective plans for wildfire risk mitigation, contribute to disaster relief funds, and, as necessary, fund litigation and settlements. Therefore, this measure provides a framework to allow public utilities in Hawaii to securitize rates to pay for catastrophic wildfire related expenses.

Your Committee has amended this measure by:

- (1) Inserting language to clarify that as a condition to issue a financing order, the Public Utilities Commission shall authorize the recovery of costs and expenses, which shall be limited to certain eligible categories;
- (2) Inserting language to require that as a condition to issue a financing order, when recovery bonds are issued, fixed recovery charges and associated taxes and bonds shall result in net savings to ratepayers;
- (3) Inserting language that as a condition to issue a financing order, requires public utilities to provide, and the Public Utilities Commission to approve, a reorganization plan that satisfies certain conditions;
- (4) Amending from one hundred eighty days to an unspecified number of days the time period required for the Public Utilities Commission to issue a financing order after determining that the amounts identified in an application are recovery costs;
- (5) Inserting an effective date of July 1, 2040, 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. 2922, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2922, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2725 Commerce and Consumer Protection on S.B. No. 2997

The purpose and intent of this measure is to:

- (1) Allow the Public Utilities Commission to convene community outreach workshops to aid electric utilities in the development and implementation of best practices regarding wildfires;
- (2) Require electric utilities to design and operate in compliance with a risk-based wildfire protection plan approved by the Public Utilities Commission;
- (3) Shield electric utilities from civil liability for certain acts taken in accordance with a risk-based wildfire protection plan or for failing to act in accordance with an item in the draft plan that was removed by the Public Utilities Commission; and
- (4) Shield the State, Public Utilities Commission, and its agents from liability for actions taken in the performance of their duties with respect to risk-based wildfire protection plans.

Your Committee received testimony in support of this measure from the Hawaiian Electric Company, Inc.; International Brotherhood of Electrical Workers Local Union 1260; Hawai'i Island Chamber of Commerce; AES Hawai'i; Kona-Kohala Chamber of Commerce; Hawaii Leeward Planning Conference; Ulupono Initiative; Puna Geothermal Venture-Ormat; Kalaeloa Partners, LP; Par Hawaii; and seventy-nine individuals.

Your Committee received comments on this measure from the Office of the Governor, Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Hawaii State Energy Office, Public Utilities Commission, Hawaii Green Infrastructure Authority, Life of the Land, and Kaua'i Island Utility Cooperative.

Your Committee finds that as the risk of catastrophic wildfires in the State increases, it is imperative that electric utilities develop and implement effective plans for wildfire risk mitigation. Your Committee further finds that the wildfire mitigation plans developed by electric utilities should be reviewed and approved by the Public Utilities Commission. This measure requires electric utilities to design, and operate in compliance with, a risk-based wildfire protection plan approved by the Public Utilities Commission.

Your Committee has amended this measure by:

- (1) Deleting language that would have created a new part in chapter 269, Hawaii Revised Statutes (HRS), to:
 - (A) Allow the Public Utilities Commission to convene community outreach workshops to aid electric utilities in the development and implementation of best practices regarding wildfires;
 - (B) Require electric utilities to design, and operate in compliance with, a risk-based wildfire protection plan approved by the Public Utilities Commission;
 - (C) Shield electric utilities from civil liability for certain acts taken in accordance with a risk-based wildfire protection plan or for failing to act in accordance with an item in the draft plan that was removed by the Public Utilities Commission; and
 - (D) Shield the State, Public Utilities Commission, and its agents from liability for actions taken in the performance of their duties with respect to risk-based wildfire protection plans;
- (2) Inserting language that creates a new section in chapter 269, HRS, requiring electric utilities to design a risk-based wildfire protection plan approved by the Public Utilities Commission;
- (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. 2997, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2997, 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. 2726 Commerce and Consumer Protection on S.B. No. 2127

The purpose and intent of this measure is to:

- (1) Prohibit a landlord or the landlord's agent from charging an application fee for a criminal background check or credit report if an applicant provides a certified copy of a criminal background check or credit report; and
- (2) Require a landlord or the landlord's agent to provide, upon request, a certified copy of an applicant's criminal background check or credit report.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs' Office of Consumer Protection and one individual.

Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS.

Your Committee finds that the strong competition for rental units, caused by the limited housing supply in the State, has required many individuals and families to apply to as many available rentals as possible. This process can cost hundreds of dollars for rental unit seekers in application fees. While your Committee recognizes that landlords and their agents need to collect application fees in order to screen all applicants, the costs of multiple applications for prospective tenants can result in significant economic hardship. Therefore, this measure provides relief to prospective tenants that apply for multiple rental openings by allowing them to obtain and use a certified copy of a recent criminal background check or credit report for all applications, eliminating duplicative and unnecessary charges.

Your Committee has amended this measure by:

- (1) Inserting language that prohibits landlords and their agents from charging rental applicants an applicant's fee if the applicant makes available certain comprehensive reusable tenant screening reports;
- (2) Deleting language that would have required the Department of Commerce and Consumer Affairs to certify criminal background checks or credit reports and determine penalties for tampering with the background checks or reports and adopt administrative rules accordingly;
- (3) Inserting an effective date of July 1, 2040, 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. 2127, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2127, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2727 Commerce and Consumer Protection on S.B. No. 2606

The purpose and intent of this measure is to establish additional requirements for notices of claims of construction defects.

Your Committee received testimony in support of this measure from the Pacific Resource Partnership; Case Lombardi, A Law Corporation; D.R. Horton Hawaii LLC; Holomua Collaborative; Hawaii Credit Union League; Building Industry Association of Hawaii; Ali'i Glass & Metal, Inc.; Tru-Door Hawaii; Z Contractors, Inc.; Royal Contracting Co., Ltd.; HPM Building Supply; Jayar Construction, Inc.; Stanford Carr Development, LLC; Foundation Building Materials, LLC; Hawaii Laborers-Employers Cooperation and Education Trust; Paradigm Construction LLC; Gray, Hong, Nojima & Associates, Inc.; Cultured Marble; Hawaiian Landscape Co., Inc.; R.M. Towill Corporation; KY International, Inc.; Vinyl Tech & Masonry, Inc.; M2K Construction LLC; Hawaiiiana Management Company, Ltd.; Hawai'i Association of REALTORS; REEF Development of Hawaii, Inc.; Gentry Homes, Ltd.; Jade Painting, Inc.; General Contractors Association of Hawaii; Ashford & Wriston, A Limited Law Partnership LLP; and thirteen individuals.

Your Committee received testimony in opposition to this measure from Lipp Smith LLP, Kasdan Turner Thomson Booth LLLC, and twenty-two individuals.

Your Committee received comments on this measure from the Contractors License Board.

Your Committee finds that the high volume of litigation related to construction defects in the State has contributed, in part, to rising insurance rates, housing costs, and the growing number of condominiums ineligible for government-backed loans because they are currently under litigation. Your Committee further finds that, under the notice of claims process for construction defects under chapter 672E, Hawaii Revised Statutes, claimants, in many cases, have filed ambiguous or unsubstantiated claims against contractors that lack sufficient detail in describing alleged construction defects and damages. Without this necessary information, the claims resolution process can be abused or delayed to the detriment of both homeowners and contractors. Therefore, this measure improves the claims resolution process by requiring a notice of claim to include details with sufficient particularity and specificity and evidence depicting the nature and cause of any alleged construction defect.

Your Committee has amended this measure by:

- (1) Clarifying that a claimant shall provide the contractor with expert-generated reports, photographs, videos, and the results of any testing performed, with the notice of claim only if they are available to the claimant;
- (2) Inserting an effective date of July 1, 2040, 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. 2606, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2606, 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. 2728 (Joint) Agriculture and Environment and Health and Human Services on S.B. No. 2369

The purpose and intent of this measure to:

- (1) Establish a working group to plan for the remediation of per- and polyfluoroalkyl substances (PFAS) contamination throughout the State; and
- (2) Require reports to the Legislature.

Your Committees received testimony in support of this measure from the Honolulu Board of Water Supply, Democratic Party of Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, Greenpeace Hawaii, Hawaii Reef and Ocean Coalition, Climate Protectors Hawai'i, Hawaii Food+ Policy, and three individuals.

Your Committees received comments on this measure from the Department of Health.

Your Committees find that PFAS and related chemicals remain in the environment for long periods of time and that low levels of exposure to PFAS have been linked to major medical conditions including cancer, thyroid disease, kidney dysfunction, and birth defects. Your Committees note that, as of August 2023, twenty-five other states have enforced drinking water standards related to PFAS. The establishment of a long-term working group as proposed by this measure would increase publicly available information, and prepare for future regulation, regarding PFAS and other chemical substances.

Your Committees have amended this measure by:

- (1) Amending the composition of the working group by:
 - (A) Requiring the chairs of the House and Senate standing committees with subject matter jurisdiction encompassing environmental protection and restoration to serve as co-chairs of the working group; and
 - (B) Reassigning the Director of Health to serve as a member; 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 Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2369, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2369, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chair and President on behalf of the Committees.
 Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Richards).
 Health and Human Services: Ayes, 5. Noes, none. Excused, none.

SCRep. 2729 (Joint) Agriculture and Environment and Health and Human Services on S.B. No. 2813

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture to:
 - (A) Establish industry standards for processing meat; and
 - (B) Conduct a survey on slaughterhouse operations;
- (2) Establish a tax credit for processing meat; and
- (3) Appropriate an unspecified amount of funds for the Department of Agriculture to establish and implement meat processing industry standards and conduct a survey on slaughterhouse operations.

Your Committees received testimony in support of this measure from the Agribusiness Development Corporation and Hawai'i Farm Bureau.

Your Committees received comments on this measure from the Department of Agriculture; Department of Taxation; and Hawai'i Cattlemen's Council, Inc.

Your Committees find that the lack of comprehensive regulations regarding meat processing and data regarding slaughterhouse operations reduces the capacity of the State to process and distribute local meat, especially to local consumers. Your Committees recognize that certifying the eating quality of local meat would improve the marketability of local beef, especially those grass-fed, and help expand the industry. According to testimony received by your Committees, additional information regarding slaughterhouse operations will allow for data-driven decision making to increase capacity, improve efficiencies, evaluate best practices, and identify growth opportunities in the State's livestock industry. Your Committees further recognize the high costs to inspect meat in the State. Additional testimony states that the establishment of a meat processing tax credit to qualified producers, as proposed in this measure, will eventually help lower the cost of local livestock products for local consumers.

Your Committees have amended this measure by:

- (1) Inserting language specifying that the tax credit established in part II of the measure shall be allocated on a first-come, first-served basis in instances where the amounts claimed in the certified statements submitted to the Board of Agriculture exceed the aggregate cap;
- (2) Requiring that the tax credit established in part II of the measure apply to taxable years beginning after December 31, 2023; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on 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 S.B. No. 2813, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2813, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair and President on behalf of the Committees.
 Agriculture and Environment: Ayes, 3; Ayes with Reservations (Rhoads). Noes, none. Excused, 2 (DeCoite, Richards).
 Health and Human Services: Ayes, 5. Noes, none. Excused, none.

SCRep. 2730 Judiciary on H.B. No. 470

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 that are not child placing organizations or child caring institutions that meet certain criteria.

Your Committee received testimony in support of this measure from Residential Youth Services and Empowerment, Opportunity Youth Action Hawai'i, Rainbow Family 808, Stonewall Caucus of the Democratic Party of Hawai'i, O'ahu Youth Action Board, National Homelessness Law Center, and one individual.

Your Committee received comments on this measure from the Department of the Attorney General, Department of Human Services, and Hawai'i Youth Services Network.

Your Committee finds that more than half of unhoused youth who want to access shelter and services are told it is unavailable, resulting in the average unhoused young person spending nearly two years living on the street. Additionally, many unhoused youth choose not to seek assistance from the child welfare system because of narrow choices with respect to living situations in foster care, stereotypes about the foster care system, prior experience with child welfare, fear of being separated from siblings, or concern about legal repercussions for parents or guardians. To address these problems, the Legislature passed Act 23, Session Laws of Hawaii 2021, 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. However, Act 23, Session Laws of Hawaii 2021, sunsetted on June 30, 2023. This measure will allow vulnerable, unhoused minors to once again have pathways to end their

homelessness by allowing vetted community providers to provide a safe and low-barrier alternative to licensed child-caring institutions.

Your Committee has amended this measure by:

- (1) Restoring statutory language that includes an organization that is not a child placing organization or child caring institution that meets certain criteria in the definition of "provider";
- (2) Clarifying that providers that are not child caring organizations or child caring institutions must maintain separate sleeping areas for unrelated adults and minor children;
- (3) Making it effective upon its approval with a sunset date of June 30, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 470, 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. 470, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2731 Ways and Means on S.B. No. 2385

The purpose and intent of this measure is to improve government efficiency by proposing an amendment to the Hawaii State Constitution that places procedural restrictions on the timing of judicial appointments and confirmations.

Specifically, this measure proposes to amend the State Constitution by:

- (1) Establishing a window between September 1 and November 30 during which the Judicial Selection Commission may not present a list of judicial nominees to the Governor or Chief Justice; and
- (2) Prohibiting the Senate from being called into more than two special sessions to consent to judicial appointments, and requiring that any subsequent appointments made during a legislative interim be held until the beginning of the next regular session for consideration by the Senate.

Your Committee did not receive written comments on this measure.

Your Committee finds that convening multiple special sessions of the Senate each year to confirm judicial appointments increases taxpayers' cost for the payment of transportation and other necessary expenses for Senators who do not reside on Oahu. Your Committee further finds that placing procedural restrictions on the timing of judicial appointments and confirmations to reduce the number of times the Senate must convene a special session each year will result in taxpayer savings and increase government efficiency.

Your Committee has amended this measure by:

- (1) Clarifying that, during each interim between regular sessions of the Legislature, the Senate shall be called into no more than two special sessions to consent to any judicial appointments;
- (2) Clarifying that any subsequent appointments made during that interim shall be held until the start of the next regular session, when the Senate may consent to the appointment or appointments within thirty days of the date the regular session convenes; 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. 2385, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2385, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Hashimoto).

SCRep. 2732 Ways and Means on S.B. No. 2381

The purpose and intent of this measure is to establish and appropriate moneys for a voluntary comprehensive public financing program for the campaigns of candidates seeking state and county elected offices, beginning with the 2028 general election.

Your Committee received written comments in support of this measure from the Campaign Spending Commission; Chamber of Sustainable Commerce; Sierra Club of Hawaii; Hope Services Hawaii; Free Access Coalition; Americans for Democratic Action Hawaii; Public Citizen; Veterans for Peace, Hawaii Chapter 113; American Civil Liberties Union of Hawaii; We Are One, Inc.; HULI PAC; Our Hawaii; Lahaina Strong; Green Party of Hawaii; Democratic Party of Hawaii; 350 Hawaii; Campaign Legal Center; Hawaii Alliance for Progressive Action; Malama Kauai; Our Revolution Hawaii; Indivisible Hawaii; Common Cause; and numerous individuals.

Your Committee received written comments in opposition to this measure from forty-six individuals.

Your Committee recognizes that, in the past, Hawaii has led efforts to facilitate the public financing of campaigns, and the State currently has a partial public funding program. Your Committee finds merit in the adoption of a comprehensive public financing program, as similar programs in other states have allowed candidates to campaign for public office without relying on private sources

of funds and have limited the undue influence of lobbyists, political parties, political action committees, businesses, unions, and other entities.

Your Committee has amended this measure by:

- (1) Referring to counties by their names instead of their populations;
- (2) Excluding the prosecuting attorney for the County of Maui from the program, as that office-holder is appointed, not elected;
- (3) Deleting certain references to the Campaign Spending Commission to make the county clerks solely responsible for verifying certain qualifying information relating to candidates;
- (4) Clarifying the purpose of the progress reports that are to be submitted to the Legislature;
- (5) Deleting appropriation-related provisions for the Campaign Spending Commission; and
- (6) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2381, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2381, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Hashimoto).

SCRep. 2733 Ways and Means on S.B. No. 2959

The purpose and intent of this measure is to alleviate costs associated with medical care.

More specifically, this measure establishes an income tax credit for medically related travel expenses not covered by insurance.

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 residents must often pay for travel expenses out of their own pocket when seeking medical services that are not readily available within the State. Your Committee also finds that traveling to obtain medical treatment can significantly add to the already high cost of medical care. Providing an income tax credit for medically related travel expenses not covered by insurance will help alleviate this burden.

Your Committee has amended this measure by:

- (1) Adding definitions for the terms “dependent” and “medical care”;
- (2) Clarifying that travel expenses may only be used to claim the tax credit if they are incurred primarily for, and essential to, medical care;
- (3) Changing the effective date to December 31, 2050, to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2959, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2959, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 6 (DeCoite, Hashimoto, Inouye, Shimabukuro, Wakai, Fevella).

SCRep. 2734 Ways and Means on S.B. No. 2279

The purpose and intent of this measure is to amend the law relating to taxation.

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:

- (1) Require that any qualified tuition reduction for graduate assistants enrolled in graduate level coursework be considered taxable income; and
- (2) Limit the qualified tuition reduction for graduate assistants enrolled in graduate level coursework to an amount that is equal to not more than a certain percentage of the resident tuition fee.

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. 2279, 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. 2279, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 6 (DeCoite, Hashimoto, Inouye, Shimabukuro, Wakai, Fevella).

SCRep. 2735 Energy, Economic Development, and Tourism on Gov. Msg. No. 595

Recommending that the Senate advise and consent to the nomination of the following:

DIRECTOR, DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

G.M. No. 595 JAMES KUNANE TOKIOKA, for a term to expire 12-31-2026

Your Committee reviewed the personal history, resume, and statement submitted by James Kunane Tokioka for service as the Director.

Your Committee received testimony in support of the nomination for the appointment of James Kunane Tokioka from Governor Josh Green, M.D.; Hawaii State Energy Office; Business Development and Support Division of the Department of Business, Economic Development, and Tourism; Department of Labor and Industrial Relations; Foreign-Trade Zone Division of the Department of Business, Economic Development, and Tourism; Research and Economic Analysis Division of the Department of Business, Economic Development, and Tourism; Department of Budget and Finance; Hawaii Broadband and Digital Equity Office; Department of Land and Natural Resources; Department of Commerce and Consumer Affairs; Hawaii Green Infrastructure Authority; Hawaii Public Housing Authority; Agribusiness Development Corporation; Hawaii Housing Finance and Development Corporation; Department of Agriculture; Creative Industries Division of the Department of Business, Economic Development, and Tourism; Department of Corrections and Rehabilitation; Hawaii Technology Development Corporation; Hawai'i Tourism Authority; Office of Hawaiian Affairs; Department of Hawaiian Home Lands; Department of Law Enforcement; Hawai'i Community Development Authority; Stadium Authority; Department of Transportation; Land Use Commission; Department of Education; Department of Defense; Department of Taxation; Hawai'i Emergency Management Agency; Department of Human Services; Department of Accounting and General Services; Natural Energy Laboratory of Hawaii Authority; Department of Human Resources Development; Department of Health; Office of the Enterprise Technology Services; County of Maui Office of Economic Development; City and County of Honolulu Office of the Mayor; County of Hawai'i Office of the Mayor; County of Kaua'i Office of the Mayor; Hawaii Council of Mayors; Chamber of Commerce Hawaii; Hawai'i Farm Bureau; UNITE HERE Local 5; SanHi Government Strategies, LLP; Iron Workers Stabilization Fund; Hawai'i Hotel Alliance; The Legislative Center, Inc.; Hawai'i Pacific Health; Maui Hotel & Lodging Association; Hawaii Building & Construction Trades Council; Hawaii Medical Service Association; Healthcare Association of Hawaii; Plumbers and Fitters United Association, Local 675; Operating Engineers Local Union No.3; Hawaii Masons' and Plasterers' Unions Hawaii Industry Stabilization Committee; International Brotherhood of Electrical Workers Local Union No. 1186; Operative Plasterers' and Cement Masons' International Association Local No. 630, AFL-CIO; Young Brothers, LLC; Council for Native Hawaiian Advancement; Kauai Chamber of Commerce; West Kauai Business & Professional Association; and thirty-nine individuals.

James Kunane Tokioka has been serving as the Interim Director of the Department of Business, Economic Development, and Tourism since May, 2023. Previously, Mr. Tokioka served as the Deputy Director for the Airports Division of the Department of Transportation and prior to that, served as a New Business Manager for Oceanic Time Warner Cable from 2011 to 2023 where he oversaw management programs and assisted with securing the largest single contract for Hawaii in the State's history. Mr. Tokioka was a Hawaii State Representative from 2006 to 2022, where he served, among other positions, as the Majority Whip, Chair of the Legislative Management and Intergovernmental Affairs Committee, and Vice Chair of Tourism. Prior to that, Mr. Tokioka was the County Council Vice Chairman for the Kaua'i County Council for ten years. Mr. Tokioka has also worked with various hotels and resorts as an entrepreneur, owner, manager, and director over the course of his extensive career.

Your Committee believes that Mr. Tokioka, with twenty-seven years of leadership experience within state and county governments, and over forty years of business management experience in the hospitality sector, possesses the qualifications to serve as the Director and lead the Department of Business, Economic Development, and Tourism. Further, through his knowledge and experience, Mr. Tokioka has exemplified his ability to foster many collaborative working relationships with policymakers, leaders in the public and private sectors, nonprofit organizations, and communities, which will aid him in coordinating amongst the many stakeholders that work with the Department. Your Committee further notes the considerable testimony in support of Mr. Tokioka's nomination and lauding him as a leader with vast knowledge of economic development, skillful management of business operations, and great vision for the future of the State.

Your Committee further notes Mr. Tokioka's personal statement explaining his vision for the Department of Business, Economic Development, and Tourism to expand the economy, reverse the "brain drain", and grow the State's tax base. To create an economically sustainable State, Mr. Tokioka is focused on diversifying the economy by continuing to work on economic cluster strategies and supporting targeted and emerging industries. Mr. Tokioka aims to accomplish this by ensuring that these industries have the necessary infrastructure in place and that the associated workforce pipelines and housing are developed. While the Department's core divisions and attached agencies each have their annual benchmarks, Mr. Tokioka plans to measure progress by ensuring each division has a strategic plan and by tracking the percentage or share of GDP by industry to measure the Department's ability to reduce reliance on tourism and diversify the State's economy into non-tourism industries. In addition, Mr. Tokioka's goal for the Department is to utilize the Genuine Progress Indicator (GPI) as a measure of not only the State's economic productivity, but it's social, environmental, and cultural impacts. Mr. Tokioka will work with the Department's applicable divisions and attached agencies to measure the State's current GPI model and ensure that it aligns with state and departmental goals. Your Committee therefore recommends that James Kunane Tokioka be appointed as Director of the Department of Business, Economic Development, and Tourism based on his extensive business knowledge, government experience, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2736 Ways and Means on S.B. No. 3091

The purpose and intent of this measure is to make an emergency appropriation to the Department of Education for its food service operations.

Your Committee received written comments in support of this measure from the Department of Education, Hawaii Primary Care Association, and Hawaii Food Industry Association.

Your Committee finds that the Department of Education provides approximately twenty thousand school breakfasts and eighty thousand school lunches to students and staff across the State each day. For many students, school meals are their only regular food source during the week. Your Committee further finds that the Department of Education has accumulated a deficit of more than \$20,000,000 for its food service operations, largely due to inflationary cost increases. Accordingly, your Committee finds that the emergency appropriation made by this measure will allow the Department to continue to provide meals to public school students.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3091, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3091, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (Hashimoto, Lee).

SCRep. 2737 Ways and Means on S.B. No. 3092

The purpose and intent of this measure is to make an emergency appropriation to the Department of Education to cover its funding obligations for charter schools.

Your Committee received written comments in support of this measure from the Department of Education, Hawaii State Teachers Association, and one individual.

Your Committee finds that the Department of Education is required to provide proportional funding to charter schools based on their student enrollment. Your Committee notes that the growth in enrollment at public charter schools is four percent higher than originally projected, resulting in less funding for charter schools than what is required. Accordingly, your Committee finds that the emergency appropriation in this measure will allow state public charter schools to continue to meet the needs of students and account for increased enrollment.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) 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. 3092, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3092, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (Hashimoto, Lee).

SCRep. 2738 Hawaiian Affairs on S.B. No. 541

The purpose and intent of this measure is to amend the law relating to 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 deleting its contents and replacing it with language to establish January 17 of each year as Reconciliation Day, to commemorate Queen Liliuokalani and the illegal overthrow of the Kingdom of Hawaii, provided that this day is not and shall not be construed to be a state holiday.

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 Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 541, as amended herein, and recommends that it be recommitted to your Committee on Hawaiian Affairs, in the form attached hereto as S.B. No. 541, S.D. 1, for further consideration.

Signed by the President on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2739 Judiciary on S.B. No. 2387

The purpose and intent of this measure is to correct erroneous references in chapters 520 and 520A, Hawaii Revised Statutes.

Your Committee received no testimony on this measure.

Your Committee finds that sections 520-3 and 520-4(a), Hawaii Revised Statutes (HRS), erroneously refer to section 520-6, HRS, and should instead refer to section 520-5, HRS. Your Committee also finds that sections 520A-3 and 520A-4(a), HRS, erroneously refer to section 520A-6, HRS, and should instead refer to section 520A-5, HRS. Your Committee further finds that the Legislative

Reference Bureau's revision bill is not the correct vehicle to make these changes, since there are questions of legislative intent. This measure will therefore correct erroneous references in chapters 520 and 520A, 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. 2387 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 (Gabbard, Awa).

SCRep. 2740 (Majority) Judiciary on S.B. No. 2333

The purpose and intent of this measure is to allow the Chief Election Officer to use accurate copies of paper ballots, rather than the originals, when conducting a precinct audit of an electronic voting system's tally.

Your Committee received testimony in support of this measure from the Office of Elections.

Your Committee received testimony in opposition to this measure from the Hawaii Young Republicans and sixty-one individuals.

Your Committee finds that existing law requires the Chief Election Officer, as a condition of using an electronic voting system to create an electronic tally of ballots, to audit the vote counts in ten percent of the precincts where an electronic voting system was used and select the precincts to audit at random. Your Committee also finds that existing law requires the Chief Election Officer to conduct the audit of the randomly selected precincts by comparing electronic tally amounts against the original paper ballots. This measure will increase the efficiency of the audits without compromising their precision by using accurate copies of paper ballots, rather than the original paper ballots, to conduct the audits.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2333 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. 2741 Judiciary on S.B. No. 2347

The purpose and intent of this measure is to establish the offense of habitual violent misdemeanor crime to allow the prosecution to charge a person who is convicted of three or more violent misdemeanors within five years with a class C felony.

Your Committee 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; Honolulu Police Department; State of Hawaii Organization of Police Officers; Institute for Human Services, Inc.; and eleven individuals.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender, Community Alliance on Prisons, ACLU of Hawai'i, Drug Policy Forum of Hawaii, and seven individuals.

Your Committee finds that under existing law, people who commit the offense of assault in the third degree, assault against a law enforcement officer in the second degree, and sexual assault in the fourth degree face a maximum sentence of one year in jail and a maximum fine of \$2,000. However, most people convicted of these offenses, including repeat offenders, spend very little time, if any, in jail. By facing almost no consequences, offenders convicted of these misdemeanors quickly learn that they will not be held accountable and are free to commit the same crimes repeatedly. Your Committee believes that giving prosecutors the discretion to charge a person with any combination of three or more convictions of assault in the third degree, assault against a law enforcement officer in the second degree, and sexual assault in the fourth degree within a five year period with a class C felony will address these problems. This measure will hold those who commit repeated acts of misdemeanor violence accountable and deter others from committing repeated acts of misdemeanor violence.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2347 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; Ayes with Reservations (San Buenaventura). Noes, none. Excused, 2 (Gabbard, Awa).

SCRep. 2742 Judiciary on S.B. No. 2193

The purpose and intent of this measure is to amend the offense of use of a computer in the commission of a separate crime to include violation of privacy in the first and second degree.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, and two individuals.

Your Committee finds that the offenses of violation of privacy in the first and second degree are serious charges. However, your Committee believes that conduct that would normally fall under the offenses of violation of privacy in the first and second degree should rise to an entirely different offense if a computer is used, for example to distribute images that were taken while committing a violation of privacy offense. This measure will provide an additional tool for prosecutors to make these types of distinctions when charging future offenses.

Your Committee has amended this measure by:

- (1) Inserting a savings clause; and

- (2) Making 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. 2193, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2193, 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. 2743 (Majority) Judiciary on S.B. No. 2334

The purpose and intent of this measure is to clarify that the Chief Election Officer must audit all elections in the randomly selected precincts as a condition of using an electronic voting system to create an electronic tally of ballots.

Your Committee received testimony in support of this measure from the Hawaii Young Republicans.

Your Committee received testimony in opposition to this measure from fifty-four individuals.

Your Committee received comments on this measure from the Office of Elections and one individual.

Your Committee finds that existing law requires the Chief Election Officer, as a condition of using an electronic voting system to create an electronic tally of ballots, to audit the vote counts in ten percent of the precincts where an electronic voting system was used and select the precincts to audit at random. However, the language of existing law is ambiguous as to whether the Chief Election Officer must audit all the elections in those precincts, or whether it is acceptable for the Chief Election Officer to audit only a single election in those precincts. This measure will remove the ambiguity to existing law and provide clarity necessary for effectively auditing elections in the State.

Your Committee has amended this measure by:

- (1) Reducing the number of randomly selected precincts employing an electronic voting system that the Chief Election Officer is required to conduct a post-election, pre-certification audit of from ten percent to five percent;
- (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. 2334, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2334, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2744 Judiciary on S.B. No. 2310

The purpose and intent of this measure is to prohibit a person from using a location tracker to harass, stalk, or perpetuate a crime against another person without their knowledge.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the County of Maui and four individuals.

Your Committee finds that there are existing statutes that may apply to some of the scenarios involving tracking a person by use of a location tracker. Despite this, your Committee believes that it is important to enact a statute that explicitly identifies and prohibits the behavior when done as a means to harass the person. This measure provides a clear definition of various types of tracking devices, which section 803-42(a)(8), Hawaii Revised Statutes, does not define. Additionally, this measure does not require that the behavior happen on more than one occasion, unlike harassment by stalking pursuant to section 711-1106.5, Hawaii Revised Statutes. This measure updates the penal code to address the serious matter of using a hidden location tracker to harass, stalk, or perpetuate a crime against another person.

Your Committee has amended this measure by:

- (1) Deleting language that would have included harassment by use of location tracker as a violation of privacy in the second degree; and
- (2) Making 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. 2310, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2310, 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. 2745 Judiciary on S.B. No. 2251

The purpose and intent of this measure is to increase the criminal penalty for the offense of indecent exposure from a petty misdemeanor to a misdemeanor if the victim is less than sixteen years of age.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Office of the Prosecuting Attorney of the County of Kaua'i, Office of the Prosecuting Attorney of the County of Hawaii, and one individual.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender, Friends of Little Beach Maui, and three individuals.

Your Committee finds that, in recent years, county prosecutors have handled several investigations where adult men have exposed their genitals to children. Despite not including physical touching or contact, this type of abuse has long lasting impacts on development and is associated with long-term health costs and psychological problems, including depression, anxiety, anger, post traumatic stress disorder, suicide attempts, low self-esteem, fear, nightmares, somatic complaints, withdrawal, attention and concentration problems, and eating disorders. Your Committee believes that intentionally exposing one's genitals to a child under the age of sixteen under circumstances likely to cause affront warrants a higher penalty than doing so to those over sixteen years old because children under sixteen, who cannot consent to sexual activity, are more vulnerable and potentially subject to greater harm. This measure will provide children under sixteen with more legal protection and deter this form of abuse.

Your Committee has amended this measure by:

- (1) Replacing the term "victim" with the term "person to whom the genitals were exposed" or "person exposed"; and
- (2) Making 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. 2251, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2251, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 3; Ayes with Reservations (San Buenaventura). Noes, none. Excused, 2 (Gabbard, Awa).

SCRep. 2746 Ways and Means on S.B. No. 2280

The purpose and intent of this measure is to amend the law relating to financing.

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 appropriate funds for capital improvement projects in the State; provided that they are funded through public private partnerships.

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. 2280, 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. 2280, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

SCRep. 2747 Commerce and Consumer Protection on S.B. No. 2112

The purpose and intent of this measure is to amend the definition of the term "installment lender" under chapter 480J, Hawaii Revised Statutes (HRS), which governs installment loans, to:

- (1) Clarify that the law is not intended to eliminate the ability of lenders to make low interest rate loans under the interest and usury law; and
- (2) Consistently use the defined term "installment loan" by deleting the term "a consumer loan" and replacing it with "installment loans".

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs' Division of Financial Institutions.

Your Committee finds that Act 56, Session Laws of Hawaii 2021 (Act 56), codified as chapter 480J, HRS, was enacted, in part, to establish a framework for providing new, viable installment loan transactions with appropriate consumer protections to ensure that future installment loans would contain reasonable terms and fees. However, your Committee finds that, under existing law, certain statutory ambiguities are present relating to whether lenders are prohibited from making low interest rate loans under chapter 478, HRS, governing interests and usury. Therefore, this measure amends the law to clarify that lenders have the ability to make low interest rate loans under the interest and usury law.

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. 2112 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. 2748 Commerce and Consumer Protection on S.B. No. 2600

The purpose and intent of this measure is to authorize the use of electronic mail to deliver certain documents when purchasing a condominium.

Your Committee received testimony in support of this measure from the Hawai'i Association of REALTORS, Hawaii First Realty LLC, and four individuals.

Your Committee finds that when a person purchases a condominium unit, the associated condominium documents must be delivered to the purchaser by either personal delivery, registered or certified mail, facsimile transmission, or any other way prescribed by the

Real Estate Commission. However, your Committee finds that, for many purchasers, electronic mail is a faster, more convenient, and less costly method of obtaining these documents as compared to receiving them in paper form. Your Committee further finds that delivery by electronic mail is especially helpful for residents who may be traveling or temporarily away from their physical mailing address. Therefore, this measure provides an environmentally-friendly and convenient way for purchasers to receive, keep, and access their condominium documents.

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. 2600 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. 2749 Commerce and Consumer Protection on S.B. No. 2404

The purpose and intent of this measure is to:

- (1) Prohibit the use of proxies in condominium association voting;
- (2) Require associations to allow members to vote by mail and attend and cast votes in association meetings through internet, teleconference, or other electronic transmission technology; and
- (3) Require associations to mail out paper ballots before any annual or other periodic election of board members.

Your Committee received testimony in support of this measure from the District 25 Council of the Democratic Party of Hawai'i, Ala Moana-Kaka'ako Neighborhood Board No. 11, Chamber of Sustainable Commerce, Kokua Council, and twelve individuals.

Your Committee received testimony in opposition to this measure from Hawaii First Realty LLC; Community Associations Institute; Hawai'i State Association of Parliamentarians; Palehua Townhouse Association; Honolulu Tower AOA; AOA Lakeview Sands; Law Offices of Mark K. McKellar, LLC; and sixteen individuals.

Your Committee received comments on this measure from one individual.

Your Committee finds that condominium association voting is essential to providing unit owners with a critical opportunity to hold association board members accountable and otherwise having their voices heard. Your Committee also finds that while proxy voting can be useful in allowing a unit owner who is physically unable to participate in an election to cast their vote through another person, it can also create additional challenges for the organizing of elections, which can unfortunately lead to disputes over an election's validity.

Notwithstanding, your Committee has heard the concerns raised in testimony, including the questions regarding the State's role in prohibiting condominium associations from deciding for themselves whether they should use proxies, as proposed by this measure in its current form. 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 repeals section 514B-123(e)(1)(C), Hawaii Revised Statutes, which requires a standard proxy form authorized by the association to contain a box wherein an owner may indicate that the proxy is given to the board as a whole and that the vote is to be made on the basis of the preference of the majority of the directors present at the meeting;
- (2) Inserting an effective date of July 1, 2040, 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. 2404, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2404, 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. 2750 (Majority) Commerce and Consumer Protection on S.B. No. 2834

The purpose and intent of this measure is to amend the Residential Landlord-Tenant Code to establish a process to dispense of a tenant's property and return the premises to a landlord when there is a death of a tenant.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that when a tenant of a residential property dies during the lease period, the lease does not terminate automatically. During this period, landlords typically desire to be compassionate, but may encounter unpaid rent and questions concerning the status of the tenant's security deposit and the tenant's belongings that need to be removed from the premises. Therefore, this measure establishes a formal statutory process to resolve matters involving a deceased tenant, to promote constructive outcomes for both the landlord who is seeking to re-rent their property and the grieving estate of the deceased.

Your Committee notes the concerns raised during public hearing for this measure as to whether the process to automatically terminate the lease, as proposed in this measure, would apply to leases with multiple tenants where one of the tenants passes away, thereby terminating the lease for the surviving tenants. Your Committee finds that this issue merits further consideration and respectfully requests that subsequent committees to which this measure is referred examine this matter.

Your Committee has amended this measure by:

- (1) Inserting language clarifying that a landlord shall have no obligation to disclose the death of a tenant or the history of deaths of tenants in a rented unit to a prospective tenant;
- (2) Inserting an effective date of July 1, 2040, 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. 2834, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2834, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 2751 (Majority) Commerce and Consumer Protection on S.B. No. 2126

The purpose and intent of this measure is to require a landlord to accept either rental security insurance or security deposit installment payments in lieu of a traditional security deposit, upon a tenant's request.

Your Committee received testimony in support of this measure from ten individuals.

Your Committee received testimony in opposition to this measure from two individuals.

Your Committee received comments on this measure from the Hawai'i Association of REALTORS and American Property Casualty Insurance Association.

Your Committee finds that security deposits generally are a one-time, refundable payment made by a tenant before moving into a property that acts as financial insurance against potential damages, unpaid rent, or cleaning fees upon termination of the tenancy. Despite the justifiable need for security deposits, the availability to provide additional funds up front can be a major hurdle for many low-income renters. Your Committee further finds that new alternatives to traditional security deposits can provide much needed assistance and flexibility to low-income renters, while still providing landlords with a sufficient measure of protection and financial assurance. This measure will therefore help alleviate the financial burden of security deposits to empower tenants and foster a more inclusive housing market.

Your Committee has amended this measure by:

- (1) Deleting language that would have required a landlord to accept the option of payment of a security deposit over a series of not less than six equal monthly installments upon a tenant's request;
- (2) Inserting language requiring a landlord to accept a surety bond in an amount equal to the total security deposit upon a tenant's request; and
- (3) Inserting an effective date of July 1, 2040, 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. 2126, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2126, 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 (Fukunaga).

SCRep. 2752 Commerce and Consumer Protection on S.B. No. 2354

The purpose and intent of this measure is to, beginning January 1, 2025:

- (1) Expand the definition of "beer" under the intoxicating liquor law to mean any alcoholic beverage containing not 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 the Lanikai Brewing Company, Mahalo Aleworks, Kauai Beer Company, Hana Koa Brewing Co., and Brewers Association.

Your Committee received comments on this measure from Anheuser-Busch.

Your Committee finds that with the growing popularity of craft beers, brewers have begun experimenting with innovative and flavor-forward beers, using fermented fruits, sugars, honey, spices and other foods to produce their beers. Your Committee finds, however, that the existing definition of "beer" recognizes only fermented barley or other grain, malt, and hops in water, and that the definition needs to be modernized to match the current beverage styles and manufacturing processes. Therefore, this measure updates the definition of "beer" to mirror federal guidelines and clarify for alcohol producers what products qualify under certain classes.

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. 2354, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2354, 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. 2753 (Majority) Commerce and Consumer Protection on S.B. No. 2132

The purpose and intent of this measure is to:

- (1) Amend the deadlines related to the repair of conditions that constitute health or safety violations and the payment of past due rent; and
- (2) Increase the amount deducted from a tenant's rent for the tenant's actual expenditures to correct health or safety violations and defective conditions.

Your Committee received testimony in support of this measure from Waipahu Safe Haven Immigrant/Migrant Resource Center, Hawai'i Workers Center, and one individual.

Your Committee finds that under existing law, if a landlord, after receipt of notification of a condition on the leased premises that constitutes a health or safety violation, fails to commence repairs of the condition or otherwise fails to comply with the provisions of the Residential Landlord-Tenant Code, a tenant may recover not more than \$500 in reimbursement for any necessary work that was completed by the tenant to cure the condition. This limitation on the recovery amount for tenants is often far below the actual costs and expenses required to cure the condition, forcing tenants to pay out of their own pockets for the repairs to return a property to a habitable condition. Therefore, this measure increases the statutory maximum recovery amount for tenants to \$1,000 or one month's rent, whichever is greater, for the tenant's actual expenditures for work done to correct the defective condition. Further, this measure amends certain deadlines related to the repair of conditions that constitute health or safety violations, to provide more time for landlords to address the conditions.

Your Committee has amended this measure by inserting an effective date of July 1, 2040, 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. 2132, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2132, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 2754 Commerce and Consumer Protection on S.B. No. 2730

The purpose and intent of this measure is to:

- (1) Require not for profit mutual benefit societies to include in annual statements the compensation provided to each executive officer and board member for the preceding calendar year and a description of each position;
- (2) Require the Insurance Commissioner to prepare and maintain a compilation of the information for each not for profit mutual benefit society; and
- (3) Require the Insurance Commissioner or the Department of Commerce and Consumer Affairs to make the compilation available for public inspection and duplication.

Your Committee received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs and Hawaii Medical Service Association.

Your Committee finds that certain not for profit mutual benefit societies in the State, which enjoy generous tax breaks, have compensated their top executives and board members handsomely, while simultaneously cutting the jobs of many rank-and-file employees in company restructurings. This measure will therefore provide increased accountability and oversight of compensation for not for profit mutual benefit society executives.

Notwithstanding, your Committee has heard the testimony of the Insurance Division of the Department of Commerce and Consumer Affairs, noting that the information required to be disclosed under this measure, as proposed, would be duplicative of certain information already filed by mutual benefit societies. Therefore, amendments to this measure are necessary to authorize the Insurance Commissioner to disclose certain compensation records already received, which can be more readily and efficiently implemented by the Insurance Division.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and replacing it with language that:
 - (A) Authorizes the Insurance Commissioner to disclose certain compensation information submitted to the Insurance Commissioner by insurers, mutual benefit societies, health maintenance organizations, or dental insurers; and
 - (B) Clarifies that the disclosure of these records shall not constitute a clearly unwarranted invasion of personal privacy under section 92F-13, 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2730, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2730, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2755 Commerce and Consumer Protection on S.B. No. 2511

The purpose and intent of this measure is to require the Public Utilities Commission to consider the immediate and long-term creation of jobs in its review of electric utility performance.

Your Committee received testimony in support of this measure from the International Brotherhood of Electrical Workers Local Union 1260.

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

Your Committee finds that the Public Utilities Commission is required to establish certain performance incentives and penalty mechanisms that directly tie an electric utility's revenues to that utility's achievement on certain performance metrics. In developing these performance incentives and penalty mechanisms, the Public Utilities Commission's review of an electric utility's performance must consider, among other things, the electric utility's service reliability, customer engagement and satisfaction, and the volatility and affordability of its electric rates and customer electric bills. Your Committee finds that the Public Utilities Commission should also be required to consider the creation of jobs as part of its review, as job creation is a strong indicator of a utility's operating stability and reflects the utility's long-term investment in the local community. Therefore, this measure supports the energy sector's contribution to economic growth and employment in the State.

Your Committee has amended this measure by:

- (1) Inserting language clarifying that the Public Utilities Commission shall consider the short-term and long-term retention and creation of local jobs in its review of electric utility performance; and
- (2) Inserting an effective date of July 1, 2040, 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. 2511, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2511, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 2756 Commerce and Consumer Protection on S.B. No. 3285

The purpose and intent of this measure is to require the Public Utilities Commission to solicit competitive offers from an entity operating under a non-investor-owned utilities ownership model before approving the sale of a public utility, in whole or in part, to a private entity.

Your Committee received testimony in support of this measure from Climate Protectors Hawaii.

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

Your Committee finds that the difference in management goals between investor- and non-investor-owned utilities can have significant effects on ratepayers and the public at large. Your Committee fully recognizes that investor-owned utilities can effectively serve Hawaii residents and this measure simply requires that, in the event of a sale of all or part of a public utility to a private entity, all possible ownership models be considered, which includes non-investor-owned utility ownership models.

Your Committee has amended this measure by:

- (1) Requiring the public utility being offered for sale, rather than the Public Utilities Commission, to demonstrate that it first solicited competitive offers from an entity operating under a non-investor-owned utilities ownership model, and note whether or not non-investor-owned entities submitted acceptable bids, in any application to the Public Utilities Commission requesting authorization of the sale of the public utility;
- (2) Inserting an effective date of July 1, 2040, 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. 3285, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3285, 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. 2757 Judiciary on S.B. No. 2197

The purpose and intent of this measure is to amend the definition of "advance gambling activity".

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and one individual.

Your Committee finds that illegal game rooms have become such a prolific and lucrative enterprise over the years, that the Honolulu Police Department has indicated that on any given day on Oahu, there are at least one hundred game rooms active. However, under existing law, an illegal game room proprietor who makes some effort to prevent its occurrence or continuation, no matter how insignificant or ineffective, could fall outside the definition of "advance gambling activity" and possibly avoid prosecution for

promoting gambling in the first and second degree. This measure will close a loophole in the gambling laws and assist in prosecuting illegal gambling activity in the State.

Your Committee has amended this measure by clarifying that a person advances gambling activity if the person, having substantial proprietary control or other authoritative control over premises being used with the person's knowledge for purposes of gambling activity, permits that activity to occur or continue.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2197, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2197, 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. 2758 (Majority) Judiciary on S.B. No. 2557

The purpose and intent of this measure is to repeal paragraph (3) of section 802-1(a), Hawaii Revised Statutes, which entitles the subject of a petition for assisted community treatment to legal representation by a public defender.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Institute for Human Services, Inc.; and one individual.

Your Committee received testimony in opposition to this measure from the ACLU of Hawai'i, Hawaii Disability Rights Center, and one individual.

Your Committee finds that public defenders represent people accused of committing criminal offenses, thereby exposing them to losing their liberty and being put in jail. Public defenders also represent people whom the government seeks to involuntarily commit. The subject of a petition for assisted community treatment is not at risk for detention. Therefore, your Committee believes that a better approach is for community organizations or dedicated attorneys to provide representation for subjects of assisted community treatment. This measure will direct the appropriate resources to individuals requiring assisted community treatment.

Your Committee notes that, under existing law, individuals subject to a petition for assisted community treatment may request an attorney. However, these individuals rarely do so because they often suffer from severe mental illnesses and are not aware that they have the right to request legal representation.

Your Committee has amended this measure by:

- (1) Amending section 334-126, Hawaii Revised Statutes, to allow the family court to appoint an attorney for the subject of a petition for assisted community treatment if the interests of justice require one be appointed and if the subject of the petition is represented by an attorney, whether retained by the subject or appointed by the court, allow the attorney adequate time for investigation; and
- (2) Making 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. 2557, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2557, 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. 2759 Judiciary on S.B. No. 3033

The purpose and intent of this measure is to amend the criminal offense statute for tampering with physical evidence to adopt the wording of the Model Penal Code for the same offense.

Your Committee received testimony in support of this measure from the Department of the Attorney General.

Your Committee finds that tampering with physical evidence can take many forms beyond what is provided in existing statute. Your Committee further finds that the current statute on tampering with physical evidence omits several phrases from the corresponding offense in the Model Penal Code that are needed to comprehensively combat physical evidence offenses. This measure incorporates the corresponding offense wording of the Model Penal Code, which will increase the public's trust and confidence in the investigations conducted by the State and local law enforcement and increase the credibility of available evidence.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3033 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. 2760 (Majority) Judiciary on S.B. No. 2522

The purpose and intent of this measure is to allow persons convicted of certain criminal violations to apply to the court for an expungement order under certain circumstances.

Your Committee received testimony in support of this measure from the Office of the Public Defender and Opportunity Youth Action Hawai'i.

Your Committee received testimony in opposition to this measure from the Crime Victim Compensation Commission and Mothers Against Drunk Driving Hawaii.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that a person's criminal record may affect that person long after the person has served their sentence. Persons who engaged in driving under the influence of an intoxicant while under the age of twenty-one, and persons who committed first-time property offenses, may have criminal records that make it difficult to obtain housing, a job, or an education. Your Committee believes that, in certain circumstances, convicted persons who have served their sentences and fulfilled all legal requirements should be given the opportunity to start over again. This measure will give offenders who have finished their sentences and made positive changes in their lives a second chance to start anew.

Your Committee has amended this measure by:

- (1) Deleting language that would have made Act 230, Session Laws of Hawaii 2006, retroactive to allow people who were sentenced prior to the effective date of Act 230 to expunge their convictions;
- (2) Inserting language:
 - (A) Allowing a person sentenced before June 22, 2006, for any class C felony property offense under chapter 708, Hawaii Revised Statutes, who meets certain requirements to apply to a court for expungement of the record of conviction for the property offense;
 - (B) Requiring a court, upon written application for expungement for an eligible felony property offense, to expunge the record of conviction if certain conditions are met;
 - (C) Specifying that if the court does not find that the person would have qualified for expungement of the record of conviction for the property offense, the court may order the record be expunged if the court finds that the person successfully completed a substance abuse treatment program; and
 - (D) Specifying that a person granted an expungement of the record of conviction for the property offense is not eligible for another expungement of the record of conviction for a property offense;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2522, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2522, 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. 2761 Judiciary on S.B. No. 2439

The purpose and intent of this measure is to:

- (1) Extend the statute of limitations for civil actions brought by persons subjected to sexual offenses as an adult against the person who committed the act;
- (2) Revive for a one year period certain actions for which the statute of limitations had previously lapsed;
- (3) Allow a claim to be brought against legal entities during the one year window period if there is a finding of gross negligence; and
- (4) Authorize a court to award attorney's fees to a defendant when an accusation of sexual abuse was made with no basis in fact and with malicious intent.

Your Committee received testimony in support of this measure from the Hawaii Association for Justice, Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, and five individuals.

Your Committee received testimony in opposition to this measure from the American Tort Reform Association.

Your Committee received comments on this measure from the Department of the Attorney General, American Association of University Women, and one individual.

Your Committee finds that victims of sexual abuse may need additional time before they are ready to file a lawsuit. This measure will allow the filing of time-barred civil claims related to sexual abuse that occurred while the person was an adult and is modeled after section 657-1.8, Hawaii Revised Statutes, which concerns civil actions arising from the sexual abuse of a minor. Both the existing statute and this measure set requirements to bring claims, including a notarized statement by a licensed psychologist, marriage and family therapist, mental health counselor, or clinical social worker who is knowledgeable of the facts of the claim. Your Committee notes that the window for minors to bring claims under section 657-1.8, Hawaii Revised Statutes, was extended several times, for a total of eight years, having been enacted in 2012, extended in 2014 and 2018, and finally expiring in 2020. This measure will account for the challenges that victims of sexual abuse face when electing to pursue justice.

Your Committee has amended this measure by increasing the period allowing certain actions to be brought by persons subjected to sexual offenses as an adult for which the statute of limitations had previously lapsed from one year to four years.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2439, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2439, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 3; Ayes with Reservations (San Buenaventura). Noes, none. Excused, 2 (Gabbard, Awa).

SCRep. 2762 (Joint) Agriculture and Environment and Judiciary on S.B. No. 2447

The purpose and intent of this measure is to add the Chairperson of the Board of Trustees of the Office of Hawaiian Affairs to the Board of Agriculture.

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 Agriculture.

Your Committees find that the Office of Hawaiian Affairs is the principle agency of the State responsible for the performance, development, and coordination of programs and activities for the betterment of conditions of Native Hawaiians. Your Committees recognize that the Office of Hawaiian Affairs not only manages a substantial and every-increasing portfolio of agriculturally-zoned legacy lands, but also has dedicated a significant amount of funds to support Native Hawaiian farmers over the last decade. This measure recognizes the role of Native Hawaiian farmers and the value that customary Native Hawaiian agriculture and aquaculture practice bring to the State as it works to reach its food security and sustainability goals by ensuring that Native Hawaiian interests are represented on the Board of Agriculture.

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. 2447 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, 3. Noes, none. Excused, 2 (DeCoite, Awa).

Judiciary: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2763 Judiciary on S.B. No. 3037

The purpose and intent of this measure is to allow the prosecution of persons who provide pornographic materials to undercover law enforcement officers who represent themselves as minors for purposes of undercover operations.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Honolulu Police Department, and Rainbow Family 808.

Your Committee finds that the Department of the Attorney General's Internet Crimes Against Children Task Force regularly conducts Operation Keiki Shield operations, where undercover law enforcement officers pose as minors on the Internet to identify, locate, arrest, and prosecute offenders who solicit minors to engage in sexual activities on the Internet. According to Operation Keiki Shield officers, offenders often send pornographic materials via the Internet to the officers who pose as minors. The current offense of promoting pornography for minors does not provide for undercover operations, so even though the undercover officers are engaging in authorized undercover activities, if they identify an offender who is promoting pornography to a minor, they are unable to charge that conduct. This measure allows for the prosecution of persons who provide pornographic materials to undercover law enforcement officers who represent themselves as minors, which will reduce the amount of pornographic materials being distributed to minors.

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. 3037, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3037, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2764 (Majority) Judiciary on S.B. No. 2219

The purpose and intent of this measure is to enhance government transparency by:

- (1) Establishing certain presumptions regarding testimony when given by a lobbyist;
- (2) Making certain contracts voidable when entered into in violation of state lobbying law; and
- (3) Expanding the definition of "lobbying" in section 97-1, Hawaii Revised Statutes, to include certain communications with high-level government officials regarding procurement decisions.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission and League of Women Voters of Hawaii.

Your Committee received testimony in opposition to this measure from the Hawai'i Alliance of Nonprofit Organizations.

Your Committee received comments on this measure from the Grassroot Institute of Hawaii.

Prior to decision making on this measure, your Committee posted and made available for public review a proposed S.D. 1, which amends this measure by:

- (1) Deleting language that would have required legislators and state employees to report to the ethics commission potential ethics violations that they know of, or reasonably should know of, including any instance of actual or attempted contact or solicitation by an unregistered lobbyist in violation of chapter 97, Hawaii Revised Statutes;
- (2) Deleting language clarifying that a communication with any official in the legislative or executive branch, for the purpose of attempting to influence rules or other actions governed by section 91-3, Hawaii Revised Statutes, is considered "lobbying";
- (3) Deleting language that would have included as "lobbying" a communication with the governor, lieutenant governor, legislators, or the director, deputy director, or member of the governing board of an administrative agency, outside any public hearing, for the purpose of attempting to influence:
 - (A) The solicitation or award of a contract or proposal before an administrative agency, if any of the communications are not authorized by chapter 103D or chapter 103F, Hawaii Revised Statutes;
 - (B) Staffing or appointment decisions regarding specific positions at an administrative agency;
 - (C) The development or modification of an administrative agency's written report or statement of policy; or
 - (D) A specific contested case hearing, rate proceeding, or other quasi-judicial proceeding before an administrative agency; provided that the communication is not governed by chapter 91 or chapter 269, Hawaii Revised Statutes;
- (4) Inserting language including communications with any person identified in section 84-17(d), Hawaii Revised Statutes, concerning the solicitation or award of a contract or proposal before an administrative agency, or a potential future vendor relationship with an administrative agency, if any of the communications are not governed by section 103D or section 103F, Hawaii Revised Statutes, as "lobbying";
- (5) Inserting language clarifying that communications about a request for proposals, contract, or vendor relationship are not considered "lobbying" if they are initiated by a legislator or state employee;
- (6) Deleting language that would have repealed the definition of "administrative action" in section 97-1, Hawaii Revised Statutes;
- (7) Amending section 1 to reflect its amended purpose; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee received testimony in support of the proposed S.D. 1 from the Hawai'i State Ethics Commission.

Your Committee received testimony in opposition of the proposed S.D. 1 from the Hawai'i Federation of Republican Women, Godwits Mercy Inc., and more than one hundred forty individuals.

Your Committee received comments on the proposed S.D. 1 from the Grassroot Institute of Hawaii and two individuals.

Your Committee finds that transparent disclosure of lobbying activities is in the public interest. Under the existing lobbying law, chapter 97, Hawaii Revised Statutes, "lobbying" an administrative agency only regards formal rulemaking or other actions governed by section 91-3, Hawaii Revised Statutes. This measure will promote government transparency by providing the public with additional information regarding lobbying at the administrative agency level and promote a level playing field for all businesses.

Your Committee has amended this measure by adopting the proposed S.D. 1 and further amending the measure by:

- (1) Deleting language that would have created a presumption that an individual submitting testimony or engaging in lobbying activities is acting on behalf of a paying person rather than in an individual capacity unless the testimony pertains to a subject not relevant to the paying person;
- (2) Inserting language creating a presumption that any individual with a substantial ownership interest in or a paid employee, officer, or director of an organization, who actively participates in lobbying activities that directly benefit that organization, is receiving compensation from the organization for their lobbying efforts;
- (3) Replacing the term "transaction" with "contract";
- (4) Deleting language that would have amended the definition of "lobbyist" to include any individual who submits testimony ten or more times during any calendar year;
- (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. 2219, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2219, 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. 2765 Judiciary on S.B. No. 3036

The purpose and intent of this measure is to:

- (1) Clarify the definition of "profits from prostitution" to include money or property received regardless of expenditures or if it was a reimbursement or repayment of a debt; and

- (2) Amend the sex trafficking and promoting prostitution criminal offense statutes by inserting relevant definitions in those statutes and repealing a statute that is no longer needed.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Honolulu Police Department, one member of the Hawai'i County Council, and Imua Alliance.

Your Committee finds that the Supreme Court of Hawaii's decision in *State v. Ibarra*, 526 P.3d 575 (Haw. 2023), indicated a need for the sex trafficking and promoting prostitution criminal offense statutes to be further clarified. While the State has made concerted efforts since the 2010s to reduce and combat sex trafficking in the State, not enough has been done to define criminal offense statutes. By resolving the ambiguity of these critical statutes, this measure will assist prosecutions of sex traffickers and those who promote prostitution.

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. 3036, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3036, 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. 2766 Judiciary on S.B. No. 2958

The purpose and intent of this measure is to amend or repeal various provisions of the Hawaii Revised Statutes or the Session Laws of Hawaii for the purposes of correcting errors and references, clarifying language, or deleting obsolete or unnecessary provisions.

Your Committee received testimony in support of this measure from the Legislative Reference Bureau.

Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that this statutory revision measure is submitted by the Legislative Reference Bureau pursuant to chapter 23G, Hawaii Revised Statutes. All of the statutory amendments proposed by this measure are intended to be technical in nature to correct errors or omissions or to repeal obsolete laws.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2958 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. 2767 Judiciary on S.B. No. 2683

The purpose and intent of this measure is to protect individuals who make claims of sexual misconduct from defamation lawsuits unless the claims were proven to be made with malice.

Your Committee received testimony in support of this measure from Hawai'i Women Lawyers, American Association of University Women of Hawaii, and one individual.

Your Committee received comments on this measure from the Hawai'i Civil Rights Commission and one individual.

Your Committee finds that defamation lawsuits are sometimes brought against individuals who are making truthful claims about sexual misconduct, which can be used to silence victims. The threat of lawsuits may negatively impact victims and good-faith reporters attempting to report sexual misconduct. This measure will create safer communities in the State by providing additional protections to individuals who make truthful claims about sexual misconduct.

Your Committee has amended this measure by:

- (1) Deleting language that would have made a protected communication made by an individual, without malice, immune from any defamation action; and
- (2) Inserting language preventing an individual from being liable in damages in any defamation action for making a protected communication without malice.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2683, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2683, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2768 (Majority) Judiciary on S.B. No. 2601

The purpose and intent of this measure is to:

- (1) Expand the time period by which a civil action for childhood sexual abuse may be initiated; and
- (2) Authorize a court to require personnel of legal entities to undergo training on trauma-informed response.

Your Committee received testimony in support of this measure from the Sex Abuse Treatment Center, Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, Hawai'i Health and Harm Reduction Center, Hawai'i State Coalition Against Domestic Violence, Democratic Party of Hawai'i, Imua Alliance, Hawaii Association for Justice, Hawai'i Children's Action Network Speaks!, YWCA Kaua'i, and fourteen individuals.

Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Insurers Council.

Your Committee finds that it is well documented that children of sexual abuse delay their disclosure of abuse, oftentimes for many years, as many victims are not ready to speak on their trauma as children. This is also true for children who suffer chronic abuse within their homes by a close family member who grooms the child to keep their abuse secret. The trauma of withholding abuse can have lasting effects, impacting the ability to disclose instances of abuse as the child grows older. For some survivors, it may take decades before the individual feels comfortable and safe enough to disclose being abused. Therefore, this measure provides an extended window for survivors of childhood sexual abuse to disclose the abuse to ensure each survivor has an opportunity to seek justice and accountability.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2601 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, 1 (San Buenaventura). Excused, 1 (Gabbard).

SCRep. 2769 Commerce and Consumer Protection on S.B. No. 2476

The purpose and intent of this measure is to authorize licensed dental hygienists to perform preventative dental sealant screenings and apply dental sealants on individuals, under certain conditions, in a Department of Education school-based oral health program.

Your Committee received testimony in support of this measure from the Department of Education; Department of Health; Disability and Communication Access Board; Board of Dentistry; University of Hawai'i System; We Are One, Inc.; Hawaii Dental Association; Hawai'i Oral Health Coalition; Hawaii Dental Service; Hawai'i Children's Action Network Speaks!; AlohaCare; and forty-six individuals.

Your Committee finds that the State is not providing sufficient resources to help individuals prevent tooth decay, which can increase health care costs for many families. Your Committee further finds that school-based dental sealant programs provide sealants to children least likely to receive them otherwise. Studies have shown that tooth decay of molars dropped an average of sixty percent up to five years after sealant application in a school program. Sealants also prevent decay at one-third the expense of filling a cavity. This measure will significantly reduce the labor costs of a dentist performing dental sealant screenings in schools and eliminate an expensive barrier to promote and sustain school-based sealant and oral health programs.

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. 2476 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2770 Commerce and Consumer Protection on S.B. No. 3329

The purpose and intent of this measure is to require the disclosure of any little fire ant infestation as part of any sale of residential real property.

Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS.

Your Committee received comments on this measure from the Department of Agriculture and Hawaii Pest Control Association.

Your Committee finds that the *Wasmannia auropunctata*, commonly known as the little fire ant, threatens native biodiversity, alters tropical ecosystems, impairs human health, diminishes agricultural and horticultural productivity, and ranks among one of the world's worst invasive species. Your Committee further finds that there are individuals who do not take reasonable steps to prevent little fire ant infestations, nor do they have any responsibility to treat their property once it has been infested, thereby leading to the spread of little fire ants on numerous properties in the State. Your Committee additionally finds that existing law governing mandatory seller disclosures in real property transactions requires a written disclosure statement prepared by the seller, or at the seller's direction, that purports to fully and accurately disclose all material facts relating to residential real property being offered for sale. This measure requires disclosure of known little fire ant infestations, as part of the sale of residential real property, to help raise awareness of the dangers posed by little fire ants and provide prospective buyers with information to help anticipate any future mitigation 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. 3329, 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 (McKelvey).

SCRep. 2771 Commerce and Consumer Protection on S.B. No. 2119

The purpose and intent of this measure is to authorize out-of-state pharmacists to transfer prescription information for the initial fill of a prescription.

Your Committee received testimony in support of this measure from the Department of Health, Board of Pharmacy, Kaiser Permanente Hawai'i, CVS Health, Walgreen Co., and one individual.

Your Committee finds that the State is a significant travel destination for many out-of-state visitors, some of whom may require a prescription refill while on vacation or business in the State, which may delay treatment for existing conditions. Existing practices require these patients to contact their health care practitioner, who provides a verbal order for a prescription to a pharmacist. Because existing State law does not explicitly allow out-of-state pharmacists to transfer prescription information to in-state pharmacists for an initial prescription fill, local pharmacists must contact out-of-state health care practitioners for verbal order, resulting in treatment delays for out-of-state patients. This measure therefore reduces barriers by providing timely access to prescriptions.

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. 2119 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 2772 Judiciary on S.B. No. 2529

The purpose and intent of this measure is to amend the definition of “patient’s provider” in state law governing provider orders for life-sustaining treatment (POLST) by removing language that requires the provider to examine the patient.

Your Committee received testimony in support of this measure from the Department of Health, State Health Planning and Development Agency, Kaiser Permanente Hawai‘i, Kōkua Mau, Hawai‘i Care Choices, Healthcare Association of Hawaii, Hospice Maui, and six individuals.

Your Committee finds that POLST is a portable medical order that sets out a patient’s care plan and documents the patient’s wishes and directions concerning resuscitative and life-sustaining measures. Your Committee further finds that POLST forms are currently required to be signed by the “patient’s provider”, defined as a licensed physician, advanced practice registered nurse, or physician assistant “who has physically examined the patient”. This examination requirement impedes critical medical processes regarding a patient, particularly when a sudden and unexpected change in their health requires urgent POLST documentation but the patient is unable to find a provider, potentially leading to patients receiving unwanted life-prolonging treatments. This measure will aid patients in creating or updating POLST documentation by removing lengthy and inefficient 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. 2529, 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 (Gabbard).

SCRep. 2773 Ways and Means on S.B. No. 3010

The purpose and intent of this measure is to clarify the roles of the Department of Land and Natural Resources and Department of Business, Economic Development, and Tourism in achieving the State’s renewable energy goals.

More specifically, the measure proposes to expedite the development of renewable energy resources by:

- (1) Requiring the Department of Land and Natural Resources to work with utility companies and renewable energy developers on certain planning, leasing, and permitting processes; and
- (2) Requiring the Department of Business, Economic Development, and Tourism to direct the Hawaii State Energy Office and work with utility companies and renewable energy developers regarding certain planning, leasing, and permitting processes.

Your Committee received written comments in support of this measure from Hawaii Gas.

Your Committee received written comments on this measure from the Hawaii State Energy Office and Public Utilities Commission.

Your Committee finds that streamlining planning, leasing, and permitting processes to expedite the development of renewable energy resources will help promote the production of clean electricity 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 S.B. No. 3010, 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 (DeCoite, Inouye).

SCRep. 2774 Commerce and Consumer Protection on S.B. No. 2747

The purpose and intent of this measure is to require the Director of Transportation to adopt rules that require tour aircraft operators to have aircraft liability insurance coverage not less than a certain percentage of the highest minimum similar coverage required by a United States international airport per person per incident.

Your Committee received testimony in support of this measure from Blue Hawaiian Helicopters.

Your Committee received testimony in opposition to this measure from Jack Harter Helicopters, Inc.

Your Committee finds that helicopter tours in Hawaii offer residents and visitors alike the opportunity to experience the State’s mountains, valleys, coastlines, waterfalls, and urban skylines from a unique perspective. However, your Committee finds that because there is no existing state law establishing a minimum insurance coverage amount for tour aircraft operations within the State, some tour aircraft operators are flying without adequate insurance, shifting the financial risk to passengers in the event of an accident. Your Committee finds that it is critical to support and incentivize safety in the tour aircraft operator industry and to establish certain minimum insurance requirements.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2040, 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. 2747, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2747, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 2775 (Majority) Judiciary on S.B. No. 2236

The purpose and intent of this measure is to require law enforcement to post notice that a warranted or warrantless search has been conducted on a property if a resident was not present at the time of the search.

Your Committee received testimony in support of this measure from the ACLU of Hawai'i and Godwits Mercy Inc.

Your Committee received testimony in opposition to this measure from twenty-five individuals.

Your Committee finds that the Fourth Amendment of the United States Constitution grants the constitutional right to live free of unreasonable searches and seizures. Similarly, the Hawaii State Constitution affords individuals the right to be free from unreasonable searches and seizures and explicitly protects the right to privacy. Your Committee believes that, given the highly intrusive nature of searches in houses, stores, and buildings, at minimum, law enforcement should be required to post a notice that a search has occurred, and to secure the premises to prevent trespass, theft, and further invasions of privacy. This measure will support constitutional rights, provide further transparency into government operations, and build trust between law enforcement and the community.

Your Committee has amended this measure by:

- (1) Requiring that an officer always post notice of a warranted or warrantless search upon completion of the search, instead of only when a resident is absent at the time of the search;
- (2) Clarifying that an officer is required to include the office contact number for at least one of the officers involved in the search rather than callback numbers in the notice of a search; and
- (3) Clarifying that an officer is required to secure any entrance used by the officer upon completion of a warranted or warrantless search.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2236, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2236, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Gabbard).

SCRep. 2776 Ways and Means on S.B. No. 2500

The purpose and intent of this measure is to help the State meet its agricultural and economic diversification goals.

More specifically, this measure:

- (1) Establishes a food and product innovation network within the Agribusiness Development Corporation; and
- (2) Appropriates moneys for the food and product innovation network.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Agribusiness Development Corporation; University of Hawaii; Hawaii Food Industry Association; Hawaii Farmers Union; Ulupono Initiative; Hawaii Farm Bureau; Hawaii Forest Industry Association; Chamber of Commerce Hawaii; and Maui Chamber of Commerce.

Your Committee finds that establishing a food and product innovation network will help the State meet its agricultural and economic diversification goals. Your Committee recognizes that product research and development is risky and requires up-front capital, which often discourages emerging agribusinesses and entrepreneurs from exploring new markets. Your Committee believes that establishing a food and product innovation network will decrease the risk of investment for growing businesses and accelerate their efforts in developing new products to promote food resiliency and Hawaii's export marketing.

Your Committee has amended this measure by:

- (1) Clarifying the duties of the food and product innovation network;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on 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 members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2500, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2500, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2777 Ways and Means on S.B. No. 3364

The purpose and intent of this measure is to clarify the Hawaii Tourism Authority's powers and duties.

More specifically, this measure:

- (1) Requires the Hawaii Tourism Authority to develop and execute destination management action plans;
- (2) Authorizes the Hawaii Tourism Authority to:
 - (A) Engage the services of qualified persons to implement the State's strategic tourism management plan;
 - (B) Coordinate the development of certain tourism programs;
 - (C) Undertake initiatives to enhance the State's tourism industry; and
 - (D) Enter into certain additional contracts and agreements; and
- (3) Renames the Hawaii Tourism Authority's tourism marketing plan as the strategic tourism management plan and amends the required components of the plan.

Your Committee received written comments in support of this measure from the Hawaii Tourism Authority, Hawaii Lodging and Tourism Association, Maui Chamber of Commerce, Maui Hotel and Lodging Association, and one individual.

Your Committee finds that requiring the Hawaii Tourism Authority to develop and execute destination management action plans will help to ensure a more coordinated and proactive approach to managing tourism in the State.

Your Committee has amended this measure by changing the effective date to July 1, 2024.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3364, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3364, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2778 Ways and Means on S.B. No. 3153

The purpose and intent of this measure is to assist private dam owners in either maintaining their dams and bringing them into compliance with current safety standards or removing it.

Specifically, this measure:

- (1) Establishes the dam and appurtenance improvement or removal grant program special fund; and
- (2) Appropriates moneys into and out of the dam and appurtenance improvement or removal grant program special fund for purposes of the dam and appurtenance improvement or removal grant program.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Agribusiness Development Corporation, Hawaii Farm Bureau, Maui County Farm Bureau, Hawaii Crop Improvement Association, Land Use Research Foundation of Hawaii, and three individuals.

Your Committee finds that the establishment of a special fund to hold the moneys for the dam and appurtenance improvement or removal grant program will help the Department of Land and Natural Resources to award grants to qualifying dam owners without concerns about those moneys lapsing to the general fund.

Your Committee has amended this measure by changing the effective date to July 1, 2024.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3153, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3153, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

SCRep. 2779 Ways and Means on S.B. No. 2362

The purpose and intent of this measure is to appropriate moneys 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 producers.

Your Committee received written comments in support of this measure from the University of Hawaii, East Oahu County Farm Bureau, Hawaii Farm Bureau, Maui County Farm Bureau, Hawaii Floriculture and Nursery Association, Land Use Research Foundation of Hawaii, and four individuals.

Your Committee received written comments on this measure from the Department of Agriculture.

Your Committee finds that ornamental ginger is a valued plant and is one of Hawaii's most commonly used shrubs and cut flowers in floral arrangements and tropical landscape designs. Your Committee further finds that red ginger production has declined significantly over the past ten years due to viral pathogens, including six pathogens identified by University of Hawaii researchers and an additional fourteen pathogens identified by the Department of Agriculture. Your Committee finds that more research is needed to save this important agricultural 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 the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2362, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2362, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2780 Ways and Means on S.B. No. 2143

The purpose and intent of this measure is to appropriate moneys to the Wildfire Management Branch of the Department of Land and Natural Resources Division of Forestry and Wildlife to award grants to nonprofit organizations for wildfire preparedness and mitigation programming.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Hawaii Forest Industry Association, and Maui Chamber of Commerce.

Your Committee finds that the Department of Land and Natural Resources Division of Forestry and Wildlife is the primary responder for wildland fires across 1,368,002 acres of the State, accounting for twenty-six per cent of the land area in Hawaii. The Division is also tasked with coordinating prevention outreach and planning efforts, including assisting communities in developing Community Wildfire Protection Plans and applying for federal grant programs. Your Committee further finds that the Division does not have the staffing capacity or resources to adequately provide programming for all the State's wildfire preparedness needs, and instead partners with nonprofit organizations to fill this gap. These nonprofit partners are often outcompeted by larger, national nonprofit organizations for federal grants, and therefore rely on funding from the State to provide education, training, and support for communities and large landowners to manage fire risks through mitigation plans and projects.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$500,000 to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2143, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2143, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, none.

SCRep. 2781 Ways and Means on S.B. No. 2156

The purpose and intent of this measure is to appropriate moneys to the Department of Land and Natural Resources to conduct maintenance dredging at state boat harbors, boat launch ramp facilities, and other state boating facilities and waterways, including design, permitting, and dredging work, as identified by the Department.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Agribusiness Development Corporation, and two individuals.

Your Committee finds that there are numerous facilities around the State that require regular maintenance dredging. The estimated average cost of each maintenance dredging project is approximately \$1,000,000 to \$1,500,000. Your Committee further finds that appropriating sufficient moneys to the Department of Land and Natural Resources will help the Department complete necessary maintenance dredging projects each year.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$3,000,000 to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2156, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2156, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, none.

SCRep. 2782 Ways and Means on S.B. No. 2284

The purpose and intent of this measure is to require and appropriate moneys for the University of Hawaii to establish and implement a two-year program to develop a wildfire forecast system for the State using artificial intelligence.

Your Committee received written comments in support of this measure from the University of Hawaii.

Your Committee believes that forecasting wildfires can help reduce the overall impacts of wildfires through rapid response and suppression efforts. Your Committee finds that the system proposed by the measure has the potential to assist authorities in forecasting wildfires across the State, which will enhance public safety and the State's ability to prepare for potential disasters.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2284, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2284, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, none.

SCRep. 2783 Ways and Means on S.B. No. 2287

The purpose and intent of this measure is to improve the accessibility of state information technology services.

Specifically, this measure requires the Information Technology Steering Committee to assist the Chief Information Officer in developing a plan to enhance and increase the usage of the hawaii.gov mobile internet application.

Your Committee received written comments in support of this measure from the Office of Enterprise Technology Services.

Your Committee finds that the coronavirus disease 2019 pandemic demonstrated the importance of ensuring that state services are accessible to individuals using mobile communication devices. Your Committee further finds that directing the Information Technology Steering Committee to help enhance the State's mobile internet application will facilitate increased usage of that application by residents and visitors.

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. 2287, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2287, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, none.

SCRep. 2784 Ways and Means on S.B. No. 2288

The purpose and intent of this measure is to facilitate transparency with respect to travel conducted for official state business.

Specifically, the measure:

- (1) Generally, requires that travel reports submitted by state employees, officers, or other representatives of state departments or agencies, in connection with out-of-state or intra-state travel for purposes of official state business, be made available for public review on the Comptroller's website; and
- (2) Appropriates moneys for the Department of Accounting and General Services to provide digital and searchable public access to the travel reports.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development and Tourism and Department of Accounting and General Services.

Your Committee received written comments on this measure from the Department of Education and Department of Commerce and Consumer Affairs.

Your Committee finds that state business travel reports should generally be readily available to the public, so that the operations state departments and agencies are more transparent. Your Committee believes that transparency promotes accountability and helps to ensure that the governmental entities are good stewards of public moneys.

Your Committee has amended this measure by:

- (1) Providing that a travel report relating to off-island travel need only be made available on the Comptroller's website if the travel was for a non-essential purpose;
- (2) Providing that a travel report need not be made available on the Comptroller's website if the travel was:
 - (A) Necessitated by due process compliance, litigation, prosecution, or a student referral or placement that requires confidentiality of the travel event; or
 - (B) Only intra-island and was made by a member of a board, commission to or from a meeting of that board or commission;
- (3) Changing the effective date to July 1, 2026; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2288, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2288, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2785 Ways and Means on S.B. No. 2413

The purpose and intent of this measure is to obtain better data regarding state agricultural lands.

Specifically, this measure requires the Board of Agriculture to submit a report to the Legislature on:

- (1) The percentage of each tax map key of agricultural lands leased by the State that are suitable for farming and actively being farmed; and
- (2) Certain dollar amounts relating to lease transfers between lessees.

Your Committee received written comments in support of this measure from the Hawaii Farmers Union, Hawaii Farm Bureau, Hawaii Cattlemen's Council, and Food+ Policy.

Your Committee received written comments in opposition to this measure from the Department of Agriculture.

Your Committee finds that it is vital that the State identify and effectively utilize its most productive agricultural lands. The data collected pursuant to this measure will help to ensure that productive agricultural lands remain in agricultural use.

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. 2413, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2413, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2786 Ways and Means on S.B. No. 2502

The purpose and intent of this measure is to increase the State's capacity to mitigate wildfire risks.

Specifically, this measure:

- (1) Requires the University of Hawaii to establish and implement a two-year program to generate web-GIS wildfire susceptibility and vulnerability maps for use by the State to determine which communities, landscapes, buildings, and infrastructure are most vulnerable to future wildfires; and
- (3) Appropriates moneys for the program.

Your Committee received written comments in support of this measure from the University of Hawaii and Hawai'i Forest Industry Association.

Your Committee received written comments on this measure from the Maui Chamber of Commerce.

Your Committee finds that making wildfire susceptibility and vulnerability maps available will help decision-makers identify the areas that are most susceptible to wildfire hazards and prioritize those areas for targeted risk-reduction strategies. Your Committee further finds that wildfire vulnerability maps can help guide future zoning rules and other land use policies to reduce the impacts of wildfires on communities.

Your Committee has amended this measure by:

- (1) Correcting an internal cross-reference;
- (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 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. 2502, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2502, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, none.

SCRep. 2787 Ways and Means on S.B. No. 2505

The purpose and intent of this measure is to ensure the resilience of the State's electric system.

More specifically, this measure:

- (1) Includes the resilience of the Hawaii electric system as a metric to be monitored and considered by the Public Utilities Commission; and

- (2) Requires that moneys collected through the Hawaii electricity reliability surcharge be transferred to both the Hawaii Electricity Reliability Administrator and the Public Utilities Commission.

Your Committee received written comments in support of this measure from the Public Utilities Commission and Hawaii Clean Power Alliance.

Your Committee received written comments on this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, and from Hawaiian Electric.

Your Committee finds that authorizing the Public Utilities Commission to monitor and consider the resilience of the State's electric system will help the State to prepare for and recover from future disasters more efficiently and effectively.

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. 2505, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2505, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

SCRep. 2788 Commerce and Consumer Protection on S.B. No. 2091

The purpose and intent of this measure is to:

- (1) Require all telecommunications service providers to communicate relevant information relating to the deenergization of electrical lines to public safety or emergency response offices for the affected areas;
- (2) Require all electric utilities to operate electrical lines and equipment in a manner that shall minimize the risk of catastrophic wildfire posed by the electrical lines and equipment;
- (3) Require each electric utility to prepare a wildfire mitigation plan approved by the Public Utilities Commission and protocols for deenergizing electrical lines; and
- (4) Allow the Public Utilities Commission to adopt rules.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Hawaiian Electric.

Your Committee received comments on this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Public Utilities Commission, and Disability and Communication Access Board.

Your Committee finds that the August 2023 Maui wildfire that was fueled by strong winds from Hurricane Dora resulted in one of the worst natural disasters in the State's history, causing significant loss of life, the displacement of thousands of residents, and the destruction of nearly all of Lahaina. In the aftermath, many questions were raised as to whether the State's electric utilities had previously considered or adopted any plans, preparations, or policies to mitigate against the risk of a wildfire, such as a procedure to orderly and expediently deenergize electric power lines out of an abundance of caution. Your Committee finds that it is in the public interest for the State to oversee and require electric utilities to establish wildfire mitigation and deenergization plans, so that future incidents can be prevented or minimized through proper contingency planning.

Your Committee has amended this measure by:

- (1) Amending from one hundred eighty days to an unspecified number of days the time period by which the Public Utilities Commission must approve, approve with conditions, or update a wildfire mitigation plan after receipt of the plan or plan update from an electric utility;
- (2) Inserting an effective date of July 1, 2040, 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. 2091, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2091, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Richards). Noes, none. Excused, 1 (McKelvey).

SCRep. 2789 Ways and Means on S.B. No. 2513

The purpose and intent of this measure is to implement new wastewater technologies and solutions in certain areas of the State.

More specifically, this measure:

- (1) Establishes within the University of Hawaii Water Resources Research Center a new waste management solution and cesspool system demonstration pilot program; and
- (2) Appropriates moneys for the pilot program and the establishment of engineer positions within the Wastewater Branch of the Department of Health.

Your Committee received written comments in support of this measure from the Department of Hawaiian Home Lands, Department of Land and Natural Resources, University of Hawaii, and Hawaii Reef and Ocean Coalition.

Your Committee received written comments on this measure from the Department of Health.

Your Committee finds that establishing a new waste management solution and cesspool system demonstration pilot program to analyze new wastewater technology systems will help to provide affected property owners with cost-effective wastewater technology alternatives.

Your Committee has amended this measure by:

- (1) Placing the pilot program within the University of Hawaii Sea Grant College Program rather than the University of Hawaii Water Resources Research Center;
- (2) Requiring the University of Hawaii Sea Grant College Program to collaborate with the University of Hawaii Water Resources Research Center in implementing the pilot program;
- (3) Requiring the University of Hawaii Sea Grant Program, rather than the University of Hawaii Water Resources Research Center, to submit reports to the Legislature;
- (4) Clarifying the University of Hawaii Sea Grant Program's reporting requirements;
- (5) Changing one of the expending agencies from the University of Hawaii Water Resources Research Center to the University of Hawaii Sea Grant Program;
- (6) Changing the appropriations from \$3,025,468; \$89,500; and \$82,700, respectively, to unspecified amounts;
- (7) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (8) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2513, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2513, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2790 Ways and Means on S.B. No. 2556

The purpose and intent of this measure is to permanently establish the Community Outreach Court as a division of the District Court of the First Circuit and appropriate moneys to continue its operation through the 2024-2025 fiscal year.

Your Committee received written comments in support of this measure from the Department of Human Services, Statewide Office on Homelessness and Housing Solutions, Office of the Public Defender, Judiciary, Department of Law Enforcement, Honolulu Department of the Prosecuting Attorney, Partners In Care, National Alliance on Mental Illness Hawaii, and Hawaii Substance Abuse Coalition.

Your Committee finds that Act 55, Session Laws of Hawaii 2017, formalized a community court outreach project to adjudicate cases of homeless persons charged with nonviolent offenses. Your Committee recognizes the success of the outreach project, as it has addressed more than ten thousand cases, recalled more than nine hundred bench warrants, lifted more than six thousand driver license stoppers, and assisted more than six hundred participants access social services or referrals. Accordingly, your Committee finds it appropriate to permanently establish a community outreach court.

Your Committee has amended this measure by:

- (1) Changing all of the measure's appropriations to unspecified amounts;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2556, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2556, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, none.

SCRep. 2791 Ways and Means on S.B. No. 2746

The purpose and intent of this measure is to direct the Department of Transportation to require that the securing of mooring lines from vessels requiring tug assistance to commercial docks, wharves, piers, quays, and landings be performed by stevedoring companies.

Your Committee received written comments in support of this measure from Hawaii Ports Maritime Council; Hawaii Teamsters and Allied Workers Local 996; IBEW Local Union 1186; International Longshore and Warehouse Union Local 142; International Union of Painters and Allied Trades, District Council 50; Laborers' International Union Local 368; Marine Firemen's Union; Operating Engineers Local 3; Plumbers and Fitters Local 675; and numerous individuals.

Your Committee received written comments in opposition to this measure from American Marine Corporation; American Waterways Operators; Chamber of Commerce Hawaii; Contractors Association of Kauai; General Contractors Association of Hawaii; Hawaii Cost of Living Coalition; Hawaii Energy Marketers Association; Hawaii Shippers' Council; Hawaiian Cement; Island Energy Services; Island Plastic Bags, Inc.; Maui Chamber of Commerce; Par Hawaii; and Retail Merchants of Hawaii.

Your Committee received written comments on this measure from the Department of Transportation; Public Utilities Commission; Building Industry Association of Hawaii; Hawaii Gas; and Sause Bros., Inc.

Your Committee finds that requiring the use of a stevedoring company to secure mooring lines when vessels are pulled into a harbor by tug will help to ensure the safety of the State's harbors and harbor workers. However, your Committee recognizes the need to balance the safety of the State's harbors and harbor workers with the timely delivery of supplies to the neighbor islands. Accordingly, your Committee believes that an appropriate method of achieving balance is to exempt from the requirements of this measure the securing of mooring lines by any tug operator that is both regulated by the United States Coast Guard and a signatory to a collective bargaining agreement.

Your Committee has amended this measure by:

- (1) Exempting from the requirements of this measure the securing of mooring lines by any tug operator that is both regulated by the United States Coast Guard and a signatory to a collective bargaining agreement; 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. 2746, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2746, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, none.

SCRep. 2792 Ways and Means on S.B. No. 2943

The purpose and intent of this measure is to establish within the Department of Transportation a working group to increase awareness of the ground transportation industry and its workforce needs, and to develop possible career paths for commercial drivers.

Your Committee received written comments in support of this measure from the Department of Transportation, Hawaii State Council on Developmental Disabilities, and Hawaii Food Industry Association.

Your Committee received written comments on this measure from the Department of Education.

Your Committee finds that taking steps, including the development of possible career paths for commercial drivers, to address the shortage of commercial drivers in the State will help to make the State's public and private sectors function more efficiently and reliably.

Your Committee has amended this measure by:

- (1) Clarifying the makeup and duties of the working group;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2943, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2943, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, none.

SCRep. 2793 Ways and Means on S.B. No. 3007

The purpose and intent of this measure is to improve the efficiency of hiring government employees.

Specifically, this measure:

- (1) Authorizes a state department, division, or agency, rather than the Department of Human Resources Development, to conduct the minimum qualification review of applicants for vacant positions within the department, division, or agency; and
- (2) Requires the Department of Human Resources Development to provide state departments, divisions, and agencies the applications received for vacancies under certain circumstances.

Your Committee received written comments in support of this measure from the Department of Transportation and Department of Law Enforcement.

Your Committee received written comments in opposition to this measure from the Department of Human Resources Development.

Your Committee received written comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Corrections and Rehabilitation; Hawaii Housing Finance and Development Corporation; Hawaii State Public Library System; and Office of Planning and Sustainable Development.

Your Committee finds that, for some departments, the existing process to hire a new employee to fill a civil service position may take seven months or longer. Your Committee further finds that this measure will help to shorten the hiring process and allow departments, divisions, and agencies to expeditiously fill job vacancies.

Your Committee has amended this measure by changing the effective date to July 1, 2024.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3007, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3007, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

SCRep. 2794 Ways and Means on S.B. No. 3008

The purpose and intent of this measure is to propose amendments to the Constitution of the State of Hawaii that authorize the use of tax increment bonds.

Specifically, the measure proposes state constitutional amendments that:

- (1) Expressly provide that the Legislature may authorize political subdivisions, such as the counties, to issue tax increment bonds; and
- (2) Exclude tax increment bonds from determinations of the funded debt of the political subdivisions.

Your Committee received written comments in support of this measure from the Office of Planning and Sustainable Development, Stadium Authority, Move Oahu Forward, and NAIOP Hawaii Chapter.

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 tax increment financing is a financing method in which a portion of property taxes in excess of a base assessed value is dedicated to fund the costs of a project through the issuance of bonds. Your Committee further finds that capital raised using tax increment bonds may be used to fund a variety of projects, including regional public infrastructure and transit-oriented development projects.

Your Committee has amended this measure by:

- (1) Amending the definition of “tax increment bonds” to mean all bonds, the principal and interest on which are in fact payable from and secured by the amount of real property taxes levied and collected by a political subdivision on the difference between the assessed value of the taxable real property in a tax increment district in:
 - (A) A given year; and
 - (B) The fiscal year prior to the creation of the tax increment district;
- (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. 3008, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3008, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

SCRep. 2795 Ways and Means on S.B. No. 3022

The purpose and intent of this measure is to establish a transportation network company fee.

Specifically, the measure establishes the transportation network company fee and:

- (1) Assesses the fee on each ride originated through a transportation network company application; and
- (2) Deposits fee revenues into the Safe Routes to School Program special fund.

Your Committee received written comments in support of this measure from the Department of Transportation, Climate Change Mitigation and Adaptation Commission, Hawaii State Energy Office, Department of Transportation Services of the City and County of Honolulu, Maui Metropolitan Planning Organization, Oahu Metropolitan Planning Organization, Hawaii Appleseed Center for Law and Economic Justice, Hawaii Bicycling League, Ulupono Initiative, and two individuals.

Your Committee received written comments in opposition to this measure from Uber Technologies.

Your Committee received written comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the assessment of a transportation network company fee is an appropriate funding mechanism for the State’s Safe Routes to School Program. Your Committee notes that, in its testimony, the Maui Metropolitan Planning Organization recommended depositing into the Safe Routes to Schools Program special fund half of the transportation network company fees collected, and distributing to the counties the remainder of the fees collected.

Your Committee has amended this measure by:

- (1) Amending the purpose section to more accurately reflect the contents of the measure; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3022, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3022, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13; Ayes with Reservations (Inouye, Fevella). Noes, none. Excused, none.

SCRep. 2796 Ways and Means on S.B. No. 3128

The purpose and intent of this measure is to facilitate the efficient use of state resources.

Specifically, this measure:

- (1) Repeals the requirement to transfer the Oahu Regional Health Care System from the Hawaii Health Systems Corporation to the Department of Health; and
- (2) Requires the Oahu Regional Health Care System to enter into an agreement with the Department of Health regarding the Oahu Regional Health Care System providing care for low acuity patients in the Department of Health's custody by the end of 2024.

Your Committee received written comments in support of this measure from the Department of Health, Hawaii Health Systems Corporation, and Oahu Region of the Hawaii Health Systems Corporation.

Your Committee finds that a report submitted by the Department of Health to the Legislature at the end of 2021 detailed the complexity and high costs of transferring the Oahu Regional Health Care System from the Hawaii Health Systems Corporation to the Department of Health. Your Committee further finds that this measure will avoid those complexities and costs while still achieving the intended goals of the transfer envisioned by Act 212, Session Laws of Hawaii 2021.

Your Committee has amended this measure by:

- (1) Amending section 323F-7.6, Hawaii Revised Statutes, to remove certain statutory provisions added by Act 212, Session Laws of Hawaii 2021;
- (2) Repealing part XLVI of Chapter 321, Hawaii Revised Statutes, which was enacted by Act 212, Session Laws of Hawaii 2021;
- (3) Repealing certain other portions of Act 212, Session Laws of Hawaii 2021, that would have facilitated the transfer of the Oahu Regional Health Care System to the Department of Health;
- (4) Correcting the text of Act 212, Session Laws of Hawaii 2021, as amended by Act 150, Session Laws of Hawaii 2022, to reflect the printed version of the Session Laws of Hawaii; and
- (5) Making a technical nonsubstantive amendment for the purpose of consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3128, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3128, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2797 (Majority) Ways and Means on S.B. No. 3125

The purpose and intent of this measure is to authorize certain minors to consent to medical care for sexually transmitted infections, pregnancy, and family planning services.

More specifically, this measure:

- (1) Permits minors who are fourteen to seventeen years of age to consent to certain medical care and services;
- (2) Replaces the term "venereal disease", as it relates to medical care and services for minors, with the term "sexually transmitted infection", and defines that term;
- (3) Authorizes licensed health care providers to submit insurance claims for certain minor-initiated medical care and services; and
- (4) Establishes confidentiality protections for minors initiating medical care and services.

Your Committee received written comments in support of this measure from the Department of Health, Disability and Communication Access Board, Essential Access Health, Hawaii Health and Harm Reduction Center, Pride at Work Hawaii, Stonewall Caucus of the Democratic Party of Hawaii, and numerous individuals.

Your Committee finds that minors are often reluctant to seek crucial medical care for reproductive health services, including sexually transmitted infections and pregnancy. Your Committee believes that allowing minors to initiate certain medical care, with assurances of confidentiality, will help to improve the health of minors throughout the State and reduce the transmission of sexually transmitted infections among the State's youth.

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. 3125, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3125, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, 1 (Fevella). Excused, 2 (DeCoite, Inouye).

SCRep. 2798 Ways and Means on S.B. No. 2289

The purpose and intent of this measure is to clarify the reporting requirements for the Department of Health regarding Kalaupapa Settlement.

More specifically, this measure:

- (1) Requires the Department of Health to:
 - (A) Include in its annual report on the Kalaupapa Settlement details and updated information regarding the permanent transfer of the Department's powers and duties over Kalaupapa Settlement to other governmental entities; and
 - (B) Report on its community engagement efforts with community stakeholders and the Molokai community; and
- (2) Requires the Governor to issue a proclamation to affirm the date of completion of the transfer of all powers and duties of the Department of Health regarding Kalaupapa Settlement.

Your Committee received written comments in support of this measure from the Department of Health, Office of Hawaiian Affairs, and one individual.

Your Committee received written comments on this measure from Ka Ohana O Kalaupapa and one individual.

Your Committee finds that it is imperative for the Legislature to remain informed and updated regarding plans for the future transfer of the Department of Health's existing statutory jurisdiction over Kalawao County and other duties related to Kalaupapa. Your Committee further recognizes the importance of community involvement in decision-making regarding the future of Kalaupapa.

Your Committee has amended this measure by:

- (1) Clarifying that the transfer of the Department of Health's powers and duties over Kalaupapa Settlement will be to qualified non-governmental entities as well as governmental entities; and
- (2) Adding Ka Ohana O Kalaupapa and a non-governmental organization from the non-peninsular area of Molokai to the transition team.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2289, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2289, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2799 Ways and Means on S.B. No. 2837

The purpose and intent of this measure is to provide for the future management of the proposed Maui State Veterans Home.

Specifically, this measure requires the transfer of the Maui State Veterans Home from the Department of Defense to the Oahu Regional Health Care System.

Your Committee received written comments in support of this measure from the Oahu Region of the Hawaii Health Systems Corporation and one individual.

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 Hawaii Health Systems Corporation.

Your Committee finds that although the Department of Defense is currently planning for the construction of the Maui State Veterans Home, the management, operation, and staffing of that facility should be placed under a state agency that has the expertise to manage a long-term care facility.

Your Committee has amended this measure by:

- (1) Amending section 323F-2, Hawaii Revised Statutes, to expressly authorize the Oahu Regional Health Care System to include the Maui State Veterans Home;
- (2) Authorizing the assimilation of the Maui State Veterans Home on Maui into a state agency other than the Oahu Regional Health Care System;
- (3) Changing the effective date to upon its approval; and
- (4) 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. 2837, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2837, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2800 Ways and Means on S.B. No. 2285

The purpose and intent of this measure is to facilitate the administration of the State Health Planning and Development Agency.

Specifically, the measure:

- (1) Amends the functions and duties of the State Health Planning and Development Agency;
- (2) Inserts a new definition of “health care” into relevant law; and
- (3) Appropriates moneys for administrative costs and eight new full-time equivalent positions within the State Health Planning and Development Agency.

Your Committee received written comments in support of this measure from the Department of Human Services, Hawaii State Council on Developmental Disabilities, Executive Office on Aging, State Health Planning and Development Agency, Hawaii Primary Care Association, AARP Hawaii, AlohaCare, and six individuals.

Your Committee received written comments on this measure from the Hawaii Health Systems Corporation and Healthcare Association of Hawaii.

Your Committee recognizes that many of Hawaii’s residents lack equitable access to high-quality and affordable health and long-term care services. Your Committee finds that modernizing the State Health Planning and Development Agency’s functions and duties will advance the State’s ability to provide necessary care to residents in a cost-effective manner.

Your Committee notes that the State Health Planning and Development Agency has stated that it needs \$1,933,435 for fiscal year 2024-2025 for administrative costs relating to the measure, including the following seven new positions:

- (1) One full-time equivalent (1.0 FTE) administrative specialist IV position;
- (2) One full-time equivalent (1.0 FTE) research statistician VI position, who shall serve as a state healthcare informaticist;
- (3) Two full-time equivalent (2.0 FTE) research statistician V positions, who shall serve as administrative data specialists;
- (4) Two full-time equivalent (2.0 FTE) program specialist V positions, who shall serve as state health planners; and
- (5) One full-time equivalent (1.0 FTE) administrative officer VI position, who shall serve as the contracts management, procurement, and human resources officer of the agency.

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. 2285, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2285, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2801 Ways and Means on S.B. No. 3383

The purpose and intent of this measure is to gather information regarding the unfilled workforce needs for home- and community-based service providers.

Specifically, this measure:

- (1) Requires the Executive Office on Aging to contract for a statewide assessment that identifies the number of, type of, and competencies needed by workers to fulfill the home- and community-based service provider positions throughout the State;
- (2) Requires the Executive Office on Aging, as part of the statewide assessment, to make recommendations for the expansion or development of training and other workforce development programs; and
- (3) Appropriates moneys for the statewide assessment.

Your Committee received written comments in support of this measure from the Executive Office on Aging, AARP Hawaii, and Healthcare Association of Hawaii.

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

Your Committee finds the information gathered by the statewide assessment and the associated recommendations for training and other workforce development programs will help to inform decision-makers on the appropriate course of action to increase the number of skilled workers necessary to meet the needs of Hawaii’s home- and community-based services.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage 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. 3383, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3383, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2802 Ways and Means on S.B. No. 3242

The purpose and intent of this measure is to increase pedestrian and vehicular safety throughout the State.

More specifically, this measure:

- (1) Exempts the Department of Transportation and each county from certain engineering study requirements in conjunction with the reduction of a maximum speed limit within one mile of a school; and
- (2) Requires certain departments and county agencies to identify and develop plans to address high-risk or dangerous corridors and intersections in the State.

Your Committee received written comments in support of this measure from the Department of Transportation, Department of Transportation Services of the City and County of Honolulu, Hawaii Bicycling League, and one individual.

Your Committee finds that exempting speed limit reductions near schools from the relevant engineering study requirements, and providing for the identification and addressing of high-risk and dangerous corridors and intersections in the State, will facilitate improved pedestrian and vehicular safety throughout the State.

Your Committee has amended this measure by:

- (1) Codifying in statute, rather than session law, the requirement that certain departments and county agencies define, regularly identify, and address high-risk and dangerous corridors and intersections;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3242, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3242, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, none.

SCRep. 2803 Ways and Means on S.B. No. 2516

The purpose and intent of this measure is to facilitate the administration of the Office of Enterprise Technology Services.

Specifically, the measure:

- (1) Renames the position of Chief Information Officer to Deputy Comptroller for Information Technology;
- (2) Provides that the Deputy Comptroller for Information Technology shall be appointed by and report to the Comptroller; and
- (3) Matches the salary of the Deputy Comptroller for Information Technology to that of the First Deputy Comptroller.

Your Committee received written comments on this measure from the Department of Accounting and General Services and Office of Enterprise Technology Services.

Your Committee recognizes that, although the Office of Enterprise Technology Services is established within the Department of Accounting and General Services, the Chief Information Officer, who heads the Office, is appointed by and reports to the Governor, rather than the Comptroller. Your Committee also recognizes that this situation was inadvertently created when the Chief Information Officer position was transferred from the Governor's office to the Department. Your Committee finds that this measure is appropriate to correct this structural deficiency.

Your Committee has amended this measure by renaming the position of "Deputy Comptroller for Information Technology" to "Chief Information Officer and Deputy Comptroller."

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2516, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2516, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, none.

SCRep. 2804 Ways and Means on S.B. No. 3281

The purpose and intent of this measure is to ensure that the operations of the State of Hawaii Museum of Natural and Cultural History and the State of Hawaii Museum of Monarchy History are aligned with the State's vision for the museums.

Specifically, this measure:

- (1) Renames the State of Hawaii Museum of Natural and Cultural History as the State of Hawaii Museum of Natural and Indigenous History;

- (2) Requires the governing boards of the State of Hawaii Museum of Natural and Indigenous History and the State of Hawaii Museum of Monarchy History to each include two non-voting members to represent certain state agencies and departments;
- (3) Requires the State of Hawaii Museum of Natural and Indigenous History to submit an annual report to the Legislature; and
- (4) Establishes requirements for the State of Hawaii Museum of Natural and Indigenous History to receive state funds in the future.

Your Committee received written comments in support of this measure from the Department of Accounting and General Services.

Your Committee received written comments on this measure from the Friends of Hawaii History, Bishop Museum, and one individual.

Your Committee finds that this measure will help to ensure that State funds appropriated for the State of Hawaii Museum of Monarchy History and the State of Hawaii Museum of Natural and Indigenous History are expended in an accountable, auditable, and appropriate manner.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated from \$5,000,000 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. 3281, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3281, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, none.

SCRep. 2805 Ways and Means on S.B. No. 2710

The purpose and intent of this measure is to establish the Hawaii Leadership Awards Program to honor individuals who have made considerable and outstanding contributions to Hawaii 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 and Department of Accounting and General Services.

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

Your Committee finds that many exceptional and notable individuals are deserving of recognition for their contributions to the State. Hawaii currently honors, with the Aloha Order of Merit, those individuals who have made national and international contributions and achieved recognition. Your Committee believes that there should be a similar program to honor exceptional and notable individuals specifically for their contributions to Hawaii.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2710, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2710, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2806 Ways and Means on S.B. No. 3371

The purpose and intent of this measure is to assist the gathering and dissemination of information about state employee teleworking. Specifically, this measure:

- (1) Requires the Department of Human Resources Development to submit an annual report on state teleworking use and policies;
- (2) Requires the Department of Human Resources Development to purchase and implement a telework monitoring system to measure productivity of state employees; and
- (3) Appropriates moneys to purchase and implement the telework monitoring system.

Your Committee received written comments in support of this measure from the Department of Human Resources Development.

Your Committee received written comments in opposition to this measure from the Hawaii Government Employee Association.

Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that gathering and disseminating data on state employee teleworking will help to guide future legislation, policy recommendations, and decision-making, and will help assure the public that state employees who telework remain productive.

Your Committee has amended this measure by:

- (1) Clarifying that the telework monitoring system shall be obtained through a National Association of State Procurement Officials cooperative contract or a procurement subject to Chapter 103D, Hawaii Revised Statutes (Hawaii Public Procurement Code); 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. 3371, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3371, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, none.

SCRep. 2807 Ways and Means on S.B. No. 849

The purpose and intent of this measure is to facilitate the provision of certain social services.

Superficially, the measure:

- (1) Sets the state supplemental payment ceiling at \$809 for type I adult residential care homes, licensed developmental disabilities domiciliary homes, community care foster family homes, and certified adult foster homes;
- (2) Sets the state supplemental payment ceiling at \$917 for type II adult residential care homes;
- (3) Includes the care rate and personal needs allowance in all of the foregoing state supplemental payments; and
- (4) Sets the monthly needs allowance at \$75.

Your Committee received written comments in support of this measure from the Department of Human Services; Disability and Communication Access Board; Hawaii State Council on Developmental Disabilities; Executive Office on Aging; Long-Term Care Ombudsman; The Arc in Hawaii; AARP Hawaii; ILWU – Local 1000/Sebastian’s Arch, LLC; Family Services of Oahu; Clubhouse International; and five individuals.

Your Committee recognizes that state supplemental payments help ensure that there are an adequate number of facilities to assist individuals in need of social services. Your Committee finds the state supplemental payment ceilings have not been adjusted in sixteen years, therefore, increases in supplemental payment ceilings may be warranted. Your Committee also finds that an increase in the monthly needs allowance from \$50 to \$75 may be advisable due to inflation.

Your Committee has amended this measure by commencing the implementation of the measure’s state supplemental payment provisions on October 1, 2024.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 849, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 849, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2808 Ways and Means on S.B. No. 2257

The purpose and intent of this measure is to authorize the Hawaii Teacher Standards Board to consider a high school diploma with education and coursework comparable to an associate’s degree, as an appropriate qualification for persons who have not received an associate’s degree to teach career and technical education in public schools.

Your Committee received written comments in support of this measure from the Department of Education, Hawaii Teacher Standards Board, Hawaii P-20 Partnerships for Education, and one individual.

Your Committee finds that this measure will help the Department of Education to fill career and technical education teacher vacancies while ensuring that licensed educators possess the same or a higher level of knowledge as currently qualified teachers.

Your Committee has amended this measure by changing the effective date to July 1, 2024.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2257, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2257, S.D. 3.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2809 Ways and Means on S.B. No. 572

The purpose and intent of this measure is to improve the State’s biosecurity efforts.

More specifically, this measure:

- (1) Authorizes the Department of Agriculture to:
 - (A) With the approval of the Governor, declare a biosecurity emergency in certain circumstances;
 - (B) Fine agricultural commodity importers who fail to comply with the Department’s requirements;

- (C) Subpoena necessary documentation from agricultural commodity importers relating to a known or suspected infestation of pests; and
 - (D) Quarantine any farm, facility, or business that is known to be infested with pests; and
- (2) Requires the Department of Agriculture to implement certain requirements for agricultural commodity importers.

Your Committee received written comments in support of this measure from the Department of Agriculture, Department of Land and Natural Resources, Hawaii Cattlemen's Council, and Hawaii Farm Bureau.

Your Committee finds that invasive species have become a steadily increasing problem impacting Hawaii. Invasive species damage the State's environment and economy and pose a serious threat to the agricultural industry. Your Committee further finds that authorizing the Department of Agriculture to declare a biosecurity emergency will enable the Department to acquire the necessary resources to rapidly respond to new pest introductions and more effectively prevent and mitigate the spread of invasive species.

Your Committee has amended this measure by:

- (1) Clarifying the purpose of the biosecurity program's multi-dimensional system; and
- (2) Deleting a provision authorizing the Department of Agriculture to fine agricultural commodity importers.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 572, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 572, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2810 Ways and Means on S.B. No. 2286

The purpose and intent of this measure is to promote workforce development by establishing an on-the-job training work experience program.

Specifically, this measure:

- (1) Authorizes the Department of Labor and Industrial Relations to contract with employers and registered apprenticeship program sponsors to train interns and reimburse those entities up to \$20.00 per hour for wages paid to the interns;
- (2) Extends state workers' compensation coverage to interns participating in the program; and
- (3) Appropriates moneys for the on-the-job training work experience program.

Your Committee received written comments in support of this measure from the University of Hawaii, Hawaii Department of Labor and Industrial Relations, Hawaii Tourism Authority, Department of Education, Hawaii Primary Care Association, Hawaii Food Industry Association, Hawaii Farm Bureau, Kapolei Chamber of Commerce, Chamber of Commerce Hawaii, Hawaii Lodging and Tourism Association, and Kohala Coast Resort Association.

Your Committee finds that this measure will help young people develop the skills necessary to thrive in their future careers and will help businesses by expanding the pool of applicants having requisite skills and experiences.

Your Committee has amended this measure by:

- (1) Clarifying the authority of the Department of Labor and Industrial Relations to administer the on-the-job training work experience program;
- (2) Adding a requirement that entities participating in the program indemnify the State;
- (3) Adding a requirement that the Department of Labor and Industrial Relations collaborate with the Department of Human Resources Development to process program applications and place interns;
- (4) Adding a requirement that the Department of Labor and Industrial Relations provide the Department of Human Resources Development with certain information about each intern;
- (5) Adding an annual reporting requirement;
- (6) Specifying that the State's worker compensation coverage for recent graduates shall lapse on the last day of February of the graduating year for a fall semester graduate and July 31 of the graduating year for a spring semester graduate; 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. 2286, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2286, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2811 Ways and Means on S.B. No. 2329

The purpose and intent of this measure is to appropriate moneys to support aquacultural efforts of the Department of Land and Natural Resources.

Your Committee received written comments in support of this measure from the Department of Agriculture, Marine Science Learning Center at Waianae High School, Alii Pauahi Hawaiian Civic Club, Food+ Policy, Hanalei Watershed Hui, Hawaii Alliance for Progressive Action, Hawaii Farmers Union, Hawaii SEED, Kuaaina Ulu Auamo, Kumuola Marine Science Education Center, Maunaloa Fishpond Heritage Center, and numerous individuals.

Your Committee finds that native fish hatcheries contribute to food security, cultural preservation, and education and collaboration. Your Committee further finds that dependable hatchery operations are a key component to sustained aquaculture development.

Your Committee has amended this measure by:

- (1) Changing the appropriations from \$4,500,000 and \$150,000, 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 the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2329, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2329, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2812 Ways and Means on S.B. No. 2504

The purpose and intent of this measure is to repeal certain provisions relating to the proposed Hawaii Pacific Hydrogen Hub.

Specifically, this measure repeals part II of Act 66, Session Laws of Hawaii 2023, which:

- (1) Requires the Department of Business, Economic Development, and Tourism to work with the University of Hawaii on workforce development activities that supported the development of the Hawaii Pacific Hydrogen Hub; and
- (2) Appropriates moneys to the Department of Business, Economic Development, and Tourism to develop the Hawaii Pacific Hydrogen Hub.

Your Committee received written comments in support of this measure from the Hawaii State Energy Office and Environmental Caucus of the Democratic Party of Hawaii.

Your Committee finds that part II of Act 66, Session Laws of Hawaii 2023, was enacted to support the State's pursuit of federal funding for the development of a Hawaii Pacific Hydrogen Hub. Your Committee further finds that although Hawaii's application was not selected by the federal government for funding, the Hawaii State Energy Office gained knowledge through the development process that will be useful in advancing future green hydrogen projects.

Your Committee has amended this measure by:

- (1) Changing the effective date to upon its approval; and
- (2) Making technical nonsubstantive amendments to correct bill section numbering errors.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2504, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2504, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2813 Ways and Means on S.B. No. 2518

The purpose and intent of this measure is to appropriate moneys to the Hawaii Technology Development Corporation for geothermal energy exploration, including both surface and subsurface exploration, and for community engagement.

Your Committee received written comments in support of this measure from the Hawaii Technology Development Corporation; Ulupono Initiative; Innovation Development Group, Inc.; Blue Planet Foundation; Hawaiian Electric; Chamber of Commerce Hawaii; Indigenous Consultants; and three individuals.

Your Committee received written comments in opposition to this measure from two individuals.

Your Committee received written comments on this measure from the Hawaii State Energy Office.

Your Committee finds that geothermal energy was identified as both a near-term and mid-term decarbonization opportunity in the Hawaii Pathways to Decarbonization Report, submitted to the Legislature prior to the start of the Regular Session of 2024. Your Committee believes geothermal energy has the potential to play a significant role in meeting Hawaii's energy objectives of reliability, affordability, and diversification, and that the State could benefit from further exploration of this renewable energy source.

Your Committee has amended this measure by changing the appropriation to an unspecified amount to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2518, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2518, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2814 Ways and Means on S.B. No. 2537

The purpose and intent of this measure is to clarify the reporting requirements of the Chief Energy Officer of the Hawaii State Energy Office.

Your Committee received written comments in support of this measure from the Hawaii State Energy Office and two individuals.

Your Committee finds that Act 122, Session Laws of Hawaii 2019, did not amend three certain sections of the Hawaii Revised Statutes pertaining to the reporting of certain energy matters to the Legislature. Your Committee further finds that these omissions should be rectified for clarity by making technical housekeeping amendments to those statutory sections.

Your Committee has amended this measure by changing the effective date to July 1, 2024.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2537, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2537, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2815 Ways and Means on S.B. No. 2677

The purpose and intent of this measure is to transfer authority over solar water heater system variances from the State to the counties.

More specifically, this measure:

- (1) Changes the entity responsible for approving a variance for the installation of solar water heater systems from the state Chief Energy Officer to the appropriate county authority having jurisdiction over building permits; and
- (2) Requires that the fees collected by each respective county authority be deposited into the appropriate county operating fund.

Your Committee received written comments in support of this measure from the Hawaii State Energy Office and two individuals.

Your Committee received written comments in opposition to this measure from the County of Maui, City and County of Honolulu Department of Planning and Permitting, Green Party of Hawaii, Kauai Climate Action Coalition, Blue Planet Foundation, Solar Help Hawaii, 350 Hawaii, Hawaii Solar Energy Association, Solaray Corporation, Sol-Ark, Alternate Energy, Inc., and numerous individuals.

Your Committee received written comments on this measure from Hawaii Gas, Land Use Research Foundation of Hawaii, and one individual.

Your Committee finds that state law establishes certain criteria for a solar water heater system variance request. Your Committee further finds that the State, rather than the counties, should be responsible for determining the outcome of variance requests based on state standards. Your Committee recognizes that the counties do not presently have the requisite expertise to review and decide solar water heater system variance requests; nevertheless, the counties should be provided an opportunity to comment on the variance requests.

Your Committee has amended this measure by:

- (1) Retaining the Chief Energy Officer's jurisdiction over and responsibility for approving variances for the installation of solar water heater systems;
- (2) Requiring the Chief Energy Officer to provide a copy of the application for a variance to the appropriate county authority having jurisdiction over building permits;
- (3) Retaining the Director of Business, Economic Development, and Tourism's authority to impose and collect fees to cover the costs of administering solar water heater variances, and requiring the fees collected to be deposited into the energy security special fund;
- (4) Authorizing applicants for a solar water heater variance to submit their request concurrently with a building permit application;
- (5) Changing the effective date to July 1, 2024; and
- (6) Making technical, nonsubstantive changes for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2677, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2677, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2816 Ways and Means on S.B. No. 2727

The purpose and intent of this measure is to enable residential high-rise condominium properties to participate in commercial property assessed financing, also known as commercial property assessed clean energy and resiliency, or C-PACER financing.

Your Committee received written comments in support of this measure from the Hawaii Green Infrastructure Authority; Office of Planning and Sustainable Development; Hawaii State Energy Office; Island Insurance Companies' CastleGreen Finance; Holomua Collaborative; Hawaii REALTORS; Hawaii Insurers Council; PACE Loan Group; CPACE Lending; Association of Apartment Owners of Pat's at Punaluu; Parkland Gardens Association of Apartment Owners Board of Directors; Petros PACE Finance, LLC; Hawaii Energy; C-PACE Alliance, Inc.; Nuveen Green Capital; Ulupono Initiative; Hawaii Bankers Association; The Laborer's International Union Local 368; The Plumbers & Fitters Local 675; and three individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that high-rise condominium properties require financing for the installation of equipment relating to fire safety, energy efficiency, renewable energy, water conservation, and resiliency. Your Committee recognizes the merits of granting high-rise condominium property regimes access to C-PACER financing, through which commercial property owners may finance qualifying improvements on their properties, then repay through a voluntary assessment that is similar to a real property tax.

Your Committee has amended this measure by:

- (1) Amending the definition of "commercial property" as used for the purposes of the Hawaii Green Infrastructure Loan Program to include any condominium regime having units in a building that is not less than an unspecified height;
- (2) Changing the effective date to July 1, 2024; 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. 2727, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2727, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2817 Ways and Means on S.B. No. 3365

The purpose and intent of this measure is to prohibit the distribution of untreated wood chips, compost, and filter socks between any location outside the State and any location inside the State, and between islands of the State.

Your Committee received written comments in support of this measure from the Department of Agriculture.

Your Committee recognizes that as travel and the importation of goods expand, the State and its environment could become victims of new and devastating invasive species from outside the State. Your Committee finds that the proper treatment of plant care components before they are distributed to, within, and from the State, will help prevent the spread of invasive pests and diseases.

Your Committee has amended this measure by:

- (1) Providing that no person shall distribute within the State any plant care component that originated outside the State, unless the component has been treated immediately after entering the State, as certified by the Department of 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 S.B. No. 3365, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3365, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2818 Ways and Means on S.B. No. 2159

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, beginning prior to the 2026 Regular Session, the state agriculture functional plan to include food-related information on aquaculture.

Your Committee received written comments in support of this measure from the Office of Planning and Sustainable Development; Agribusiness Development Corporation; Hawaii Farmers Union; Kupu Place Aquaponics, LLC; Hawaii Farm Bureau; Food+ Policy; Chamber of Commerce Hawaii; Hawaii Fishermen's Alliance for Conservation and Tradition; and one individual.

Your Committee received written comments on this measure from the Department of Agriculture.

Your Committee finds that seafood is crucial for food and nutrition security. Your Committee also finds, however, that to help the wild seafood system reach its potential and to expand the State's priority on food by including freshwater and saltwater aquatic organisms as viable food sources, the State needs relevant, regularly updated information from the Department of Agriculture and Office of Planning and Sustainable Development.

Your Committee has amended this measure by:

- (1) Inserting into the Hawaii Revised Statutes the requirement for the Department of Agriculture to periodically update the state agricultural functional plan; 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. 2159, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2159, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2819 Ways and Means on S.B. No. 2419

The purpose and intent of this measure is to appropriate moneys to the Department of Agriculture's biosecurity program to develop and implement projects for clean seed and new varietal improvements, agricultural treatments, diagnostics, and pest management.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources; Department of Agriculture; Honolulu City Council; Hawaii Young Republicans; Hawaii Farm Bureau; Hawaii Farmers Union; Larry Jeffs Farms, LLC; Maui County Farm Bureau; Ulupono Initiative; Hawaii Crop Improvement Association; Hawaii Floriculture and Nursery Association; Land Use Research Foundation of Hawaii; Hawaii Food+ Policy; Aina Hookupu o Kilauea; Hawaii Cattlemen's Council, Inc.; and six individuals.

Your Committee finds that invasive species pose a significant risk to Hawaii's agriculture, environment, natural resources, public health, and economy. Your Committee further finds that the Department of Agriculture is required to implement the comprehensive biosecurity program to control and prevent increasing threats of pests and prohibited or restricted organisms lacking a permit from entering and spreading throughout the State. Your Committee recognizes the Department's need for further appropriations to effectuate the biosecurity program.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making a technical nonsubstantive amendment for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2419, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2419, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2820 Ways and Means on S.B. No. 2133

The purpose and intent of this measure is to authorize the Hawaii Housing Finance and Development Corporation to issue and use bond financing for infrastructure projects required to support housing development statewide.

More specifically, the measure:

- (1) Authorizes the Hawaii Housing Finance and Development Corporation to use bond financing for housing project infrastructure and to finance the development of regional state infrastructure projects;
- (2) Exempts from state, county, and municipal taxation, bonds issued by the Hawaii Housing Finance and Development Corporation for improvements by assessments, and the interest on these bonds, with certain exceptions;
- (3) Includes proceeds from bonds issued from regional state infrastructure projects as a source of revenue for regional state infrastructure subaccounts; and
- (4) Authorizes the use of regional state infrastructure subaccount revenues to repay regional state infrastructure project bond holders.

Your Committee received written comments in support of this measure from the Hawaii Housing Finance and Development Corporation, Office of Planning and Sustainable Development, Partners in Care – Oahu's Continuum of Care, NAIOP Hawaii Chapter, and Land Use Research Foundation of Hawaii.

Your Committee finds that allowing the Hawaii Housing Finance and Development Corporation to finance the cost of infrastructure projects, which are typically paid by private developers, will help address a major barrier to the development of affordable housing 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 S.B. No. 2133 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2821 Ways and Means on S.B. No. 2322

The purpose and intent of this measure is to require and appropriate moneys for the Department of Health to continue testing water quality during brown water advisories under certain circumstances.

Your Committee received written comments in support of this measure from the Department of Health, Kihei Community Association, Surfriider Foundation, Windward Coalition, and numerous individuals.

Your Committee received written comments on this measure from one individual.

Your Committee finds that robust water testing and public notification during brown water advisories is important for public health and safety, enabling the beach-going public to have the necessary information to determine where it is safe to surf, swim, and play at the beach. Your Committee further finds that an expansion of the Hawaii Beach Monitoring Program will require additional work and resources, including up to \$1,120,000 and nine additional full-time equivalent (9.0 FTE) positions.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2322, 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 (DeCoite, Inouye).

SCRep. 2822 Ways and Means on S.B. No. 2070

The purpose and intent of this measure is to exempt from the Hawaii Public Procurement Code purchases of career and technical education goods and services made by the Department of Education.

Your Committee received written comments in support of this measure from the Department of Education; Department of Business, Economic Development, and Tourism; and Hawaii State Energy Office.

Your Committee received written comments on this measure from the State Procurement Office.

Your Committee finds that the procurement exemption authorized by this measure will help the Department of Education to timely acquire career and technical education equipment and services thus enabling the Department to provide students with the skills and knowledge that meet current industry standards.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2070, 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 (DeCoite, Inouye).

SCRep. 2823 Ways and Means on S.B. No. 2828

The purpose and intent of this measure is to require the Department of Accounting and General Services to convert six engineer (buildings) V positions to project manager II positions and establish the salaries comparable to project manager II class, SR-26.

Your Committee received written comments on this measure from the Department of Accounting and General Services.

Your Committee finds that converting the specified positions will help the Department of Accounting and General Services to more efficiently support public works projects.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2828 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2824 Ways and Means on S.B. No. 2951

The purpose and intent of this measure is to appropriate moneys to the Agribusiness Development Corporation for maintenance of and improvements to the East Kauai Irrigation System, including the establishment of positions to implement the maintenance and improvements.

Your Committee received written comments in support of this measure from the Department of Hawaiian Home Lands; Department of Land and Natural Resources; Agribusiness Development Corporation; County of Kauai; County of Kauai Office of Economic Development; ADC; Hawaii Cattlemen's Council; Hawaii Farm Bureau; Hawaii Farmers Union; Kauai Chamber; Kalepa Coalition; Larry Jefts Farms, LLC; Local Food Coalition; Saiva Siddhanta Church; Ulupono Initiative; and one individual.

Your Committee finds that the East Kauai Irrigation System is critical for agricultural production in Hawaii, and that the system is relied upon by numerous farmers and ranchers. Your Committee also finds that the system is a critical source of water for land held by the Department of Hawaiian Home Lands. Your Committee further finds that the East Kauai Irrigation System is a century-old system that requires repair, renovation, and improvements. Your Committee therefore believes that it is necessary to provide funding for the Agribusiness Development Corporation to assume responsibility for the 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 S.B. No. 2951, 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 (DeCoite, Inouye).

SCRep. 2825 Ways and Means on S.B. No. 3087

The purpose and intent of this measure is to expand access to early learning programs by allowing those programs to operate on public properties outside of Department of Education school campuses.

Your Committee received written comments in support of this measure from the Department of Human Services, Department of Education, Executive Office on Early Learning, Office of Hawaiian Affairs, HE'E Coalition, Hawaii Children's Action Network Speaks!, Early Childhood Action Strategy, Kamehameha Schools, Chamber of Commerce Hawaii, and one individual.

Your Committee finds that this measure will help to increase the number of available locations for early learning programs without expending state moneys, which will help the State to meet its goal of providing all three- and four-year-old children with access to preschool by December 31, 2032, as established by section 26-61, Hawaii Revised Statutes.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3087, 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 (DeCoite, Inouye).

SCRep. 2826 Ways and Means on S.B. No. 3305

The purpose and intent of this measure is to exempt public charter schools that offer exclusively prekindergarten programs from various requirements applicable to other public charter schools.

Your Committee received written comments in support of this measure from the Executive Office on Early Learning, State Public Charter School Commission, Hawaii Children's Action Network Speaks!, and Parents And Children Together.

Your Committee finds that in January 2024, the State Public Charter School Commission approved the first prekindergarten-only public charter school. Your Committee further finds that this measure will help to expand access to early education by removing unnecessary requirements for that school and similar future 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. 3305 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2827 Ways and Means on H.B. No. 2520

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 House of Representatives for the period up to and including June 30, 2025; and
- (2) The Office of the Auditor, Legislative Reference Bureau, Office of the Ombudsman, and State Ethics Commission for fiscal year 2024-2025.

Your Committee received testimony in support of this measure from the Legislative Reference Bureau, Office of the Auditor, Office of the Ombudsman, Hawaii State Ethics Commission, and one individual.

Your Committee received comments on 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.

As affirmed by the record of votes of the members 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. 2520, 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, 12. Noes, none. Excused, 1 (Fevella).

SCRep. 2828 Commerce and Consumer Protection on S.B. No. 2861

The purpose and intent of this measure is to:

- (1) Make it unlawful for an exclusive listing agreement to last longer than twelve months from the date the agreement was made; and
- (2) Make it unlawful to present for recording or filing, or to otherwise attempt to record or file, with the Bureau of Conveyances, an exclusive listing agreement of any duration.

Your Committee received testimony in support of this measure from the Office of Consumer Protection of the Department of Commerce and Consumer Affairs, Hawai'i Association of REALTORS, and AARP Hawai'i.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that an exclusive listing is a type of real estate listing agreement in which a property seller appoints and specifically authorizes one real estate broker to act as the seller's sole agent. By contrast, in an open, or non-exclusive listing, the seller has the right to employ any number of brokers as agents. Your Committee also finds that it is common for more established, successful real estate agents and agencies to require these exclusive listing agreements, ensuring that the agent or their agency receives commissions throughout the duration of the agreement every time the home changes hands, no matter who actually finds the buyer. Your Committee further finds that the exclusive listing agreements are recorded as liens on the property, placing a cloud on the property's title and hampering the homeowner's ability to borrow money through a mortgage or home equity loan. Furthermore, because the agreement attaches to the property and not the person who entered into the exclusive listing agreement, subsequent owners of the property are also subject to the terms and conditions of the agreement. Your Committee finds that many consumers are unaware

of the consequences of entering into exclusive listing agreements, as advertisements and explanations of this practice are deceptive and fail to fully explain the terms. Therefore, this measure will curb the uncompetitive practice of long-term exclusive listing agreements that can unfairly encumber a property owner's title, reduce their equity, and have an anti-competitive effect on the sale of real estate, thereby promoting the free choice of agents for property sellers.

Prior to the decision-making hearing on this measure, your Committee circulated and made available to its members consensus language prepared by the Office of Consumer Protection and the Bureau of Conveyances to clarify that recorded exclusive listing agreements shall not operate as a lien and establishing certain remedies. Amendments to this measure are therefore necessary to incorporate this consensus language.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language to clarify that an exclusive listing agreement is void and unenforceable under state law that governs unfair and deceptive practices if the agreement:
 - (A) Lasts longer than twelve months from the date the agreement was made;
 - (B) Purports to run with the land or be binding on future owners of interests in the residential real property;
 - (C) Allows for assignment of the right to provide services without notice to and the consent of the owner of the residential real property; or
 - (D) Purports to create a lien, encumbrance, or other real property security interest;
- (2) Inserting language clarifying that an exclusive listing agreement made or presented for recording or filing with the Bureau of Conveyances in violation of the requirements proposed in this measure:
 - (A) Shall not be enforceable, have any legal effect, or provide actual or constructive notice to any person interested in the residential real property identified in the exclusive listing agreement; and
 - (B) Shall not operate as a lien, encumbrance, or security interest;
- (3) Inserting language:
 - (A) Relieving owners or buyers of residential real property subject to an exclusive listing agreement made or presented for recording or filing with the Bureau of Conveyances in violation of the requirements proposed in this measure from the burden of recording documents to remove the agreement from the property's records;
 - (B) Allowing a person with an interest in the residential real property subject to an exclusive listing agreement, notice, or memorandum of agreement recorded in violation of the requirements proposed in this measure to apply for a court order declaring the agreement, notice, or memorandum of agreement void and unenforceable; and
 - (C) Allowing a person with an interest in the residential real property subject to a void and unenforceable exclusive listing agreement to recover damages, costs, and attorney's fees that may be proved against the service provider named in the agreement;
- (4) Inserting language providing that a service provider has no right to a refund of the consideration paid to the owner of residential real property in connection with a void exclusive listing agreement;
- (5) Amending the definition of "exclusive listing agreement" to apply only to "residential real property";
- (6) Inserting definitions of "residential real property" and "service provider" for the purposes of clarity;
- (7) Deleting language that would have established certain prohibitions in chapter 502, Hawaii Revised Statutes;
- (8) Amending section 1 to reflect its amended purpose;
- (9) Inserting an effective date of July 1, 2040, to encourage further discussion; and
- (10) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2861, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2861, 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. 2829 Commerce and Consumer Protection on S.B. No. 3083

The purpose and intent of this measure is to amend various sections of chapter 431, article 11, Hawaii Revised Statutes, to adopt revisions to the National Association of Insurance Commissioners (NAIC) Model No. 440, Insurance Holding Company System Regulatory Act.

Your Committee received testimony in support of this measure from the Insurance Division of the Department of Commerce and Consumer Affairs and American Council of Life Insurers.

Your Committee received testimony in opposition to this measure from the Tradewind Group, Inc.

Your Committee finds that the ability to accurately monitor the strength and stability of an insurer is critical for both the State and those insured. Your Committee further finds that the NAIC updated certain provisions of the Insurance Holding Company System

Regulatory Act, relating to, among other things, the group capital assessment and calculation, which captures insurer risk at the level of the entire group, and liquidity stress test calculation. Accordingly, this measure makes various technical updates to the State's Insurance Holding Company System law to conform with the NAIC revisions.

Your Committee has amended this measure by:

- (1) Restoring language in the existing Insurance Holding Company System law that exempts the ultimate controlling person of a domestic insurance holding company system from the requirement of filing an annual enterprise risk report with the Insurance Commissioner;
- (2) Inserting language that exempts the ultimate controlling person of a domestic insurance holding company system from the requirement of filing annual group capital calculations with the Insurance Commissioner;
- (3) Inserting language that exempts the ultimate controlling person of a domestic insurance holding company system scoped into the liquidity stress test framework from the requirement of filing the results of a specific year's liquidity stress test with the Insurance Commissioner;
- (4) Inserting an effective date of July 1, 2040, 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. 3083, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3083, 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. 2830 Commerce and Consumer Protection on S.B. No. 524

The purpose and intent of this measure is to authorize the Insurance Commissioner to require the Commissioner's pre-approval for certain salary increases granted to any person receiving a salary over a certain amount from an insurer.

Your Committee received testimony in opposition to this measure from the National Association of Mutual Insurance Companies.

Your Committee received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs.

Your Committee finds that certain insurance companies that enjoy generous tax breaks have been compensating their top executives and board members generously, while increasing their insurance rates and cutting the jobs of many rank-and-file employees through company restructurings, resulting in questions being raised regarding corporate accountability and the erosion of public trust. Your Committee finds that by authorizing the Insurance Commissioner to approve certain insurer salary increases, this measure will restore public trust, increase corporate accountability, and ensure that employees and policyholders are not financing the exorbitant compensation of certain insurance executives and board members.

Your Committee has amended this measure by inserting an effective date of July 1, 2040, 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. 524, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 524, S.D. 2, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Fukunaga, Richards). Noes, none. Excused, 1 (Awa).

SCRep. 2831 Commerce and Consumer Protection on S.B. No. 2695

The purpose and intent of this measure is to:

- (1) Add the definitions of "identifier" and "specified data element" and amend the definition of "personal information" for the purposes of notifying affected persons of data and security breaches under existing state law that governs the security breach of personal information; and
- (2) Include licensees subject to the Insurance Data Security Law, article 3B, chapter 431, Hawaii Revised Statutes, among the businesses deemed compliant with security breach notice requirements existing under state law.

Your Committee received testimony in support of this measure from the Office of Consumer Protection of the Department of Commerce and Consumer Affairs, Department of Education, Office of Enterprise Technology Services, Student Advocates for Responsible Technology, and one individual.

Your Committee received testimony in opposition to this measure from TechNet, State Privacy & Security Coalition, Hawaii Financial Services Association, and Consumer Data Industry Association.

Your Committee received comments on this measure from the Division of Financial Institutions of the Department of Commerce and Consumer Affairs, Hawaii Bankers Association, and Hawaii Credit Union League.

Your Committee finds that the expansion of the Internet and related digital technologies has resulted in the need to safeguard personal and sensitive data from exploitation, identity theft, financial fraud, and even blackmail. To that end, the Legislature adopted House Concurrent Resolution No. 225, H.D. 1, S.D. 1 (2019), which requested a Twenty-First Century Privacy Law Task Force be convened to examine and recommend laws and regulations relating to internet privacy; the collection, transmission, processing, protection, storage, and sale of personal data; hacking; data breaches; and other similar subjects. Your Committee finds that the

Twenty-First Century Privacy Law Task Force determined that certain definitional amendments to the state law governing the security breach of personal information under chapter 487N, Hawaii Revised Statutes, were necessary to make privacy protection more robust and expansive. Therefore, this measure, among other things, makes various technical updates to conform with the Twenty-First Century Privacy Law Task Force's recommendations.

Your Committee has amended this measure by:

- (1) Repealing the Office of Thrift Supervision as one of the federal regulators on the list of businesses deemed to be in compliance with security breach notice requirements under section 487N-2, Hawaii Revised Statutes;
- (2) Inserting an effective date of July 1, 2040, 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2695, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2695, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

SCRep. 2832 Judiciary on S.B. No. 2384

The purpose and intent of this measure is to lower the blood alcohol concentration threshold for driving while under the influence of alcohol from 0.08 to 0.05.

Your Committee received testimony in support of this measure from the National Transportation Safety Board, Office of the Governor, Department of Transportation, Department of Health, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, Office of the Prosecuting Attorney of the County of Kaua'i, Office of the Prosecuting Attorney of the County of Hawai'i, Honolulu Police Department, Hawai'i Police Department, one member of the Hawai'i County Council, Oahu Metropolitan Planning Organization, Mothers Against Drunk Driving Hawaii, Hawai'i Alcohol Policy Alliance, Smart Start LLC, Advocates for Highway and Auto Safety, FIA Foundation, Kids and Car Safety, Liam's Life Foundation, National Safety Council, .05 Saves Lives Coalition, Trauma Foundation, Keala Foundation, Hawaii Substance Abuse Coalition, Lokahi Treatment Centers, SparksInitiatives, Maui Coalition for a Drug-Free Youth, U.S. Alcohol Policy Alliance, Maika'i Cleaning Services LLC, and thirty-nine individuals.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender, Mahalo Aleworks, Big Island Brewhaus, Kauai Beer Company, Lanikai Brewing Company, Maui Chamber of Commerce, Craft 'Ohana, and three individuals.

Your Committee received comments on this measure from one individual.

Your Committee finds that there is growing concern regarding impaired driving in the State, as intoxicated driving is the leading cause of traffic fatalities and leaves permanent impacts on the lives of innocent people. In 2013, the National Transportation Safety Board recommended that all fifty states adopt a blood alcohol concentration (BAC) limit of 0.05 compared to the 0.08 BAC standard, which would save approximately five hundred to eight hundred lives annually across the country. Your Committee further finds that there is an increasing rate of fatal crashes in the State involving intoxicated drivers. In 2021, there were one hundred twenty-seven drivers involved in deadly crashes, which increased to one hundred sixty-five drivers involved in fatal crashes in 2022. In addition, your Committee believes that lowering the BAC to .05 will have a strong deterrent effect and discourage impaired driving in the State. Accordingly, this measure creates stronger safeguards against intoxicated driving while ensuring greater protection of roadway users and the State's communities.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2384 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. 2833 Judiciary on S.B. No. 3236

The purpose and intent of this measure is to clarify that if no personal property designation appears in the recorded instrument, the interests of the beneficiaries shall be real property.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands.

Your Committee finds that the Department of Hawaiian Home Lands (Department) has been aggressively pursuing the fulfillment of its mission to fully support self-sufficiency for Native Hawaiians by providing the opportunity for homestead leases and homeownership. One initiative that the Department is pursuing in an effort to accelerate the fulfillment of that goal is to create the opportunity for lower-income Native Hawaiians on the wait lists to access Hawaii Housing Finance and Development Corporation funding involving the Low-Income Housing Tax Credits Program (LIHTC). With the use of LIHTCs, there is a fifteen-year compliance period whereby participants must satisfy certain requirements and are considered "renters" until the end of the compliance period, where they are then given the option to purchase and own the units. However, participants are not issued a homestead lease until the fifteen-year compliance period is finished, at which point the renter takes out a loan to pay off the remaining debt and is then issued a Hawaiian Homestead ninety-nine-year lease. Unfortunately, if the "renter" dies before the fifteen-year conversion point, and their successor is less than fifty percent Hawaiian, the unit cannot be transferred to their heir and the heir receives nothing. This measure will address this problem by placing certain Hawaiian Home Lands in a land trust and clarify that the beneficial interest under the trust will be deemed real property rather than personal property.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3236 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. 2834 Judiciary on S.B. No. 3034

The purpose and intent of this measure is to explicitly categorize defenses based on intoxication that is pathological or not self-induced as affirmative defenses.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Law Enforcement, and Office of the Prosecuting Attorney of the County of Kaua'i.

Your Committee finds that intoxication as a defense creates inequity in the judicial system when the defendant raises, or infers the possibility of, an intoxication defense to the prosecution months after the incident has occurred. In some cases, crucial substantive or tangible evidence may be destroyed, lost, or tampered with before a defendant raises an intoxication defense. Additionally, the prosecution is left at a severe disadvantage as the prosecution and law enforcement are unable to thoroughly investigate the claims beyond a reasonable doubt. This measure ensures fair and just prosecution while providing for instances of legitimate defense.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3034 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. 2835 Judiciary on S.B. No. 2487

The purpose and intent of this measure is to:

- (1) Increase the minimum amount of marijuana necessary for a person to commit the offense of promoting a detrimental drug in the second degree from one ounce to more than two ounces;
- (2) Increase the amount of marijuana a person may have for the offense of promoting a detrimental drug in the third degree to be a violation from three grams or less of marijuana to one ounce or less; and
- (3) Amend the fine for a violation under promoting a detrimental drug in the third degree.

Your Committee received testimony in support of this measure from the Office of the Public Defender, one member of the Kaua'i County Council, ACLU of Hawaii, Marijuana Policy Project, Drug Policy Forum of Hawai'i, Hawai'i Public Health Institute, Aloha Green Holdings Inc., Last Prisoner Project, Democratic Party of Hawai'i, Cannabis Society of Hawai'i, Rainbow Family 808, and five individuals.

Your Committee received testimony in opposition to this measure from the Department of the Attorney General, Honolulu Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, and three individuals.

Your Committee received comments on this measure from the Hawaii Substance Abuse Coalition.

Your Committee finds that the consequences of arresting, prosecuting, and incarcerating people for personal drug use are devastating. People who have been convicted of possession of small amounts of marijuana cycle through the criminal justice system and are not able to successfully contribute to society or have the support of their social network. Additionally, a criminal record can carry lasting, detrimental effects on finding employment, housing, and accessing educational opportunities. This measure will make the State's cannabis laws more responsible, just, and equitable.

Your Committee has amended this measure by:

- (1) Changing the minimum amount of marijuana necessary for a person to commit the offense of promoting a detrimental drug in the second degree from more than two ounces to thirty grams or more;
- (2) Deleting language that would have repealed marijuana from the offense of promoting a detrimental drug in the third degree;
- (3) Decreasing the amount of marijuana a person may possess for the offense of promoting a detrimental drug in the third degree to be a violation from one ounce or less of marijuana to fifteen grams or less;
- (4) Deleting language that would have adjusted the fine for committing a violation under the offense of promoting a detrimental drug in the third degree to an unspecified amount; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2487, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2487, 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. 2836 Judiciary on S.B. No. 3159

The purpose and intent of this measure is to clarify that a contested case hearing is not required when a tribunal has already issued a final decision and order in a substantially similar contested case proceeding that was not appealed, or where a court of last resort has already issued a final decision on the proceeding or on other substantially similar matters.

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 Life of the Land.

Your Committee finds that requiring agencies to hold multiple contested case hearings on matters that are substantially similar impedes agencies from acting to address critical issues and is unduly burdensome on agency staff and financial resources. Additionally, having multiple contested cases on substantially similar matters could lead to conflicting decisions and greater legal ambiguity. This measure will prevent the exploitation of the contested case process while also protecting the due process rights of a party seeking a contested case for a matter that has not been previously adjudicated.

Your Committee has amended this measure by:

- (1) Specifying that a contested case hearing may be denied when a requesting party alleges or raises a cause of action, claim, controversy, issue, fact, or substantive law that is identical or arising from the same factual situation as another administrative matter that has been finally adjudicated;
- (2) Deleting language that would have required a denial for a contested case hearing to identify the previous administrative matter and reference the previous cause of action, claim, controversy, issue, fact, or substantive law and include findings that it was finally adjudicated;
- (3) Inserting language requiring a denial for a contested case hearing to include the agency's findings of facts and conclusions of law within the body of the decision; provided that a previous contested case may be utilized in whole or in part;
- (4) Inserting an effective date of April 14, 2112, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3159, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3159, 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 (San Buenaventura, Awa).

SCRep. 2837 Judiciary on S.B. No. 3350

The purpose and intent of this measure is to:

- (1) Require judges, justices, and nominees for judicial vacancies to file certain disclosures with the State Ethics Commission; and
- (2) Require the Commission on Salaries to consider the deterrence of bribery and corruption when making its salary recommendations.

Your Committee received testimony in opposition to this measure from the Judiciary.

Your Committee received comments on this measure from the Hawai'i State Ethics Commission and League of Women Voters of Hawaii.

Your Committee finds that the State is responsible for upholding an ethical position on the deterrence of conflicts of interest, bribery, and corruption in all branches of government. When government is idle about combatting corruption, this can erode public trust and confidence for state leaders and exacerbate social tensions, which could contribute to violence. This measure will improve public confidence in the ethical standing of nominees for justices and judges.

Your Committee has amended this measure by:

- (1) Inserting language requiring:
 - (A) An appointee for a judge or justice to file a disclosure of financial interests within five business days of the appointee's appointment;
 - (B) That the disclosure be made available to the Senate in addition to the State Ethics Commission; and
 - (C) That the disclosure be made public by the State Ethics Commission;
- (2) Deleting language that would have required judges and justices to file a disclosure of financial interests annually with the State Ethics Commission;
- (3) Requiring appointees for justices and judges, instead of nominees for justices and judges, to file with the State Ethics Commission an initial disclosure of financial interests;
- (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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3350, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3350, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Awa).

SCRep. 2838 Judiciary on S.B. No. 2687

The purpose and intent of this measure is to:

- (1) Prohibit a person from distributing, or entering into an agreement with another person to distribute, materially deceptive media unless the media contains a disclaimer;
- (2) Establish remedies for parties injured by the distribution of materially deceptive media; and
- (3) Establish criminal penalties for distributing materially deceptive media.

Your Committee received testimony in support of this measure from the Campaign Spending Commission; Hawaii State AFL-CIO; League of Women Voters of Hawaii; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Motion Picture Association; and one individual.

Your Committee received testimony in opposition to this measure from the Hawaii Association of Broadcasters, Inc.; Surfing 4 Truth; and sixty individuals.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that although artificial intelligence (AI) technology can greatly benefit certain aspects of society, it can also have dangerous consequences if applied maliciously. For example, the use of deepfakes or generative AI in elections can be a powerful tool used to spread disinformation and misinformation, which can increase political tensions and result in electoral-related conflict and violence. Several states, including Michigan, Minnesota, and Washington, have enacted legislation governing the use of AI elections. This measure will protect the democratic process in the State by establishing necessary regulations on the use of deepfake and generative AI technologies to influence elections.

Your Committee notes that your Committee intends for the Campaign Spending Commission to have the ability to refer violations of the new section established by this measure for prosecution pursuant to section 11-411, Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Clarifying that the new section added by this measure is placed in chapter 11, part XIII, Hawaii Revised Statutes;
- (2) Changing the applicable state of mind requirement from intentional to knowing for the prohibition on the distribution of the materially deceptive media that will harm the reputation or electoral prospects of a candidate in an election or to change the voting behavior of electors in an election by deceiving the electors into incorrectly believing that the depicted individual in fact engaged in the speech or conduct depicted;
- (3) Inserting language exempting broadcasters from the prohibition against distributing materially deceptive media if the broadcaster is required to run the materially deceptive media without editing the media pursuant to federal law or rule;
- (4) Allowing a Commissioner of the Campaign Spending Commission to maintain a cause of action for injunctive or other equitable relief against a person who is reasonably believed to violate or who is in the course of violating the prohibition against distributing materially deceptive media;
- (5) Clarifying that “materially deceptive media” must be an advertisement, as defined in section 11-302, Hawaii Revised Statutes;
- (6) Inserting an effective date of April 14, 2112, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2687, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2687, 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. 2839 Judiciary on S.B. No. 2686

The purpose and intent of this measure is to:

- (1) Exempt certain personal information of public servants from government records that are subject to disclosure under the State’s Uniform Information Practices Act;
- (2) Establish within the State’s Address Confidentiality Program protection for public servants that prohibits upon written request from the public servant or representative any person or organization from disclosing certain personal information; and
- (3) Establish the offense of unlawful publication of personal information that prohibits any person or organization from knowingly disclosing protected personal information of public officials with the intent to cause reputational harm, emotional injury, or bodily injury.

Your Committee received testimony in support of this measure from the Judiciary; Employees' Retirement System; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; RELX Group; Hawaii State AFL-CIO; American Judicature Society; and one individual.

Your Committee received testimony in opposition to this measure from the Public First Law Center, Software and Information Industry Association, League of Women Voters of Hawaii, and TechNet.

Your Committee received comments on this measure from the Department of Law Enforcement, Department of Land and Natural Resources, Department of the Attorney General, Office of Information Practices, Department of Budget and Fiscal Services of the City and County of Honolulu, and Coalition for Sensible Public Records Access.

Your Committee finds that across the country, elected state and local officials, judges, election officials, school board officials, and others in decision-making positions that directly impact the public or an individual in other high-profile government positions have experienced an alarming increase in acts of violence, or attempts to engage in acts of violence, at their personal residence or the residence of a family member. In the past three years, two government officials and the family member of another were killed at their home. Additionally, federal judges and other court personnel were the targets of more than four thousand five hundred threats and other inappropriate communications in 2021, representing an increase of eighty-one percent from the number of threats in the fiscal year 2016. At the state level, the number of threats and other inappropriate communications to judges in the State have increased tenfold since 2012. This measure will prevent harm to public servants and their families by protecting their personal information from being used to threaten or harass those individuals.

Your Committee notes that your Committee intends that a representative of a covered public servant will include the covered public servant's employer. For example, the Judiciary may make a request on behalf of a judge if the judge authorizes it.

Your Committee has amended this measure by:

- (1) Deleting language that would have exempted certain personal information of public servants from government records that are subject to disclosure under the State's Uniform Information Practices Act;
- (2) Deleting language that would have defined "covered public servant" to mean:
 - (A) Any person employed or retired, appointed, or volunteering for the State or any of its political subdivisions or agencies;
 - (B) Members of boards and commissions who are appointed and confirmed pursuant to section 26-34, and other individuals including volunteers who are responsible for or assisting with government responsibilities; or
 - (C) Any active, formerly active, or retired justice of the United States Supreme Court, judge of the United States Court of Appeals, or judge or magistrate judge of the United States District Court or United States Bankruptcy Court, provided the person resides in the State;
- (3) Inserting language defining "covered public servant" to mean:
 - (A) The Governor;
 - (B) The Lieutenant Governor;
 - (C) The State Administrative Director appointed pursuant to section 26-3, Hawaii Revised Statutes;
 - (D) Any head of a state department established under section 26-4, Hawaii Revised Statutes;
 - (E) Any member of the Legislature;
 - (F) Any active, formerly active, or retired justice of the Hawaii Supreme Court; judge of the Hawaii Intermediate Court of Appeals; judge of a Hawaii circuit court or circuit family court; judge of a Hawaii district court or district family court; or per diem judge of a Hawaii district court or district family court;
 - (G) Any active, formerly active, or retired justice of the United States Supreme Court; judge of the United States Court of Appeals; judge or magistrate judge of the United States District Court; or judge of the United States Bankruptcy Court who resides in the State, formerly resided in the State while serving as a federal judge, or owns real property in the State;
 - (H) The Administrative Director of the courts;
 - (I) The Deputy Administrative Director of the courts;
 - (J) Any employee or volunteer of the Office of Elections; or
 - (K) Any person designated for good cause by the Governor, Chief Justice, Chairperson of the Office of Hawaiian Affairs, President of the Senate, or Speaker of the House of Representatives in the designator's respective body;
- (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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2686, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2686, 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 (San Buenaventura, Awa).

SCRep. 2840 Commerce and Consumer Protection on S.B. No. 2850

The purpose and intent of this measure is to authorize the Director of Commerce and Consumer Affairs to appoint an organization as the limited owner of a cemetery, under certain circumstances, for the purpose of providing perpetual care and security measures for the cemetery.

Your Committee received testimony in support of this measure from the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs, Pearl City Neighborhood Board No. 21, and one individual.

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 cemetery has been described as having a damaged mausoleum, sinking graves, and markers that are hidden under overgrown grass and bushes. Your Committee also finds that with no owner to take responsibility, Sunset Memorial Park currently relies on volunteers to maintain the cemetery.

Your Committee further finds that although the Department of Commerce and Consumer Affairs has taken certain positive steps to remediate the condition of Sunset Memorial Park, the lack of an owner for the cemetery, who could provide ongoing maintenance and security measures, has left the property in a state of disrepair, and subject to vandalism and desecration. Therefore, this measure will help restore the sanctity of Sunset Memorial Park--along with other cemeteries who are currently without an owner--and deliver peace to the relatives and friends of the deceased.

Your Committee has amended this measure by:

- (1) Inserting language authorizing an appointed limited owner of a cemetery to contract for certain major repair work and to generate and raise long-term funding in support of the cemetery;
- (2) Inserting language requiring an appointed limited owner of a cemetery to submit annual reports to the Department of Commerce and Consumer Affairs regarding the status and progress of any new and existing initiatives undertaken to improve the cemetery;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Inserting an effective date of July 1, 2040, 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. 2850, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2850, 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. 2841 Judiciary on S.B. No. 2706

The purpose and intent of this measure is to expand eligibility for, and automate, the expungement of conviction records if certain criteria are met, including the lack of a conviction record for a specified time period following the date of conviction.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Democratic Party of Hawai'i, Hawai'i Innocence Project, Beyond Guilt Hawai'i, Opportunity Youth Action Hawai'i, ACLU of Hawai'i, and four individuals.

Your Committee received testimony in opposition to this measure from the Department of the Attorney General, Crime Victim Compensation Commission, Office of the Prosecuting Attorney of the County of Kaua'i, Department of the Prosecuting Attorney of the County of Maui, Office of the Prosecuting Attorney of the County of Hawaii, Mothers Against Drunk Driving Hawaii, Sex Abuse Treatment Center, Retail Merchants of Hawaii, Hawai'i State Coalition Against Domestic Violence, and five individuals.

Your Committee received comments on this measure from the Judiciary.

Your Committee finds that approximately seventy-seven million people in the United States, or one in three adults, have a criminal record, which can adversely affect a person's financial and housing security by limiting the person's access to employment, housing, or a professional license. Many states, including Hawai'i, have laws that allow persons who meet certain eligibility criteria to petition or apply for the removal of a criminal record. A procedure for automatic expungement of criminal records could streamline the legal process and eliminate the need for the eligible person to navigate the process, including at times hiring an attorney. Automatic expungement may also reduce recidivism and promote fairness and equity in the criminal justice system. However, your Committee finds that moving to an automatic expungement process is complex and should be carefully considered. Accordingly, your Committee believes that a task force should first examine the issues and develop a state-initiated program to clear convictions records.

Your Committee has amended this measure by:

- (1) Deleting language that would have:
 - (A) Expanded eligibility for, and automated, the expungement of conviction records if certain criteria were met; and
 - (B) Required the Attorney General, beginning December 1, 2026, to issue automatic expungement orders and the Judiciary to seal or remove information from publicly accessible databases;
- (2) Inserting language establishing the Clean Slate Expungement Task Force to develop a state-initiated record clearing program;
- (3) Amending section 1 to reflect its amended purpose; and

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2706, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2706, 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 (San Buenaventura, Awa).

SCRep. 2842 (Joint) Ways and Means and Judiciary on S.B. No. 3175

The purpose and intent of this measure is to authorize the Department of Taxation to serve administrative subpoenas in jurisdictions outside the State.

Your Committees received testimony in support of this measure from the Department of Taxation and one individual.

Your Committees received comments on this measure from the Tax Foundation of Hawaii.

Your Committees find that in the digital economy, a growing number of taxpayers engage in business in Hawaii but do not have a physical presence in the State where administrative subpoenas may be served. Your Committees believe that by engaging in business in the State, a taxpayer implicitly consents to the exercise of the State's taxation power. Accordingly, your Committees find that this measure will allow the Department of Taxation to serve administrative subpoenas on these businesses and thus enforce state tax laws.

Your Committees have amended this measure by adding a savings clause section and renumbering subsequent sections accordingly.

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. 3175, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3175, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.
Ways and Means: Ayes, 13. Noes, none. Excused, none.
Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 2843 (Joint/Majority) Ways and Means and Judiciary on S.B. No. 3176

The purpose and intent of this measure is to improve the enforcement of tax laws in the State.

More specifically, this measure:

- (1) Provides deadlines for taxpayers under audit to comply with demands to produce documents and evidence; and
- (2) Authorizes the tax appeal court to preclude documents or information not produced pursuant to a demand from being introduced in evidence in a tax appeal or action under section 40-35, Hawaii Revised Statutes, unless the failure was due to reasonable cause.

Your Committees received testimony in support of this measure from the Department of Taxation.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees received comments on this measure from the Tax Foundation of Hawaii.

Your Committees find that, under current state law, taxpayers are required to maintain account and transaction records and permit the Department of Taxation to examine those records. Taxpayers under audit are also subject to criminal penalties for willfully failing to supply information requested by the Department. However, there is presently no statutory deadline for taxpayers to comply with requests for information and documents made by the Department.

Your Committees have amended this measure by:

- (1) Changing the deadline to comply with information and document requests from "twenty days" to "thirty business days"; and
- (2) Specifying the taxable years and taxable transactions to which the measure applies.

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. 3176, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3176, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.
Ways and Means: Ayes, 13; Ayes with Reservations (Fevella). Noes, none. Excused, none.
Judiciary: Ayes, 3. Noes, 2 (San Buenaventura, Awa). Excused, none.

SCRep. 2844 Ways and Means on S.B. No. 3173

The purpose and intent of this measure is to conform the state income tax law and estate and generation—skipping transfer tax law to the Internal Revenue Code of 1986, as amended as of December 31, 2023.

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 recognizes that this measure serves to comply with sections 235-2.5(c) and 236E-4(c), Hawaii Revised Statutes, which require the Department of Taxation to submit legislation to conform relevant state tax laws to the Internal Revenue Code as it existed on the December 31 preceding each Regular Session, to the extent appropriate for the State.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3173 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, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2845 Ways and Means on S.B. No. 2725

The purpose and intent of this measure is to reduce the income tax burden on small businesses.

More specifically, this measure:

- (1) Adds a definition for “qualified member” and repeals the definitions for “direct member” and “indirect member”, as used in the State’s pass-through entity taxation election law; and
- (2) Allows certain qualified members entitled to a tax credit to use the credit against the member’s net income tax liability in subsequent years until exhausted.

Your Committee received testimony in support of this measure from the Department of Taxation; Accuity, LLP; Chamber of Commerce Hawaii; Grassroot Institute of Hawaii; and Hawaii Restaurant Association.

Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that Act 50, Session Laws of Hawaii 2023, allowed certain pass-through entities to elect to pay Hawaii income tax at the entity level. Act 50 was enacted to help Hawaii’s small businesses by allowing taxpayers to deduct Hawaii state income taxes paid on their federal income tax returns. These deductions from federal taxable income were eliminated through changes to the federal tax code in 2017, which deprived Hawaii taxpayers of significant federal tax benefits. Under Act 50, the entity level tax is calculated by applying the highest individual income tax rate to the taxable income to be distributed, entitling qualified pass-through entity members to receive a nonrefundable income tax credit that cannot be carried forward to a subsequent year if the credit exceeds the tax liability. Your Committee further finds that, due to the inability to carry forward the tax credit, many members remain unable to benefit from Act 50 as intended. Your Committee believes that this measure will help small businesses reduce their income tax burden while concomitantly reducing the administrative burden on 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 is in accord with the intent and purpose of S.B. No. 2725 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, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2846 Ways and Means on S.B. No. 2831

The purpose and intent of this measure is to assist in the collection of county transient accommodations taxes.

More specifically, this measure authorizes the Department of Taxation to assist a requesting county in levying, assessing, collecting, and otherwise administering the county transient accommodations tax, including delinquencies and penalties, for a two-year period beginning January 1, 2025.

Your Committee received testimony in support of this measure from the Maui County Mayor, Maui County Council, and Maui Chamber of Commerce.

Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that, in the wake of the August 2023 Maui wildfires, the County of Maui is facing unanticipated revenue shortfalls, including in tax collections. Your Committee also finds that, due to understaffing, the County of Maui has experienced significant delinquencies in collection of the county transient accommodations tax. Your Committee further finds that temporary assistance from the Department of Taxation in the collection of the county transient accommodations tax would allow the County of Maui to clear the existing backlog while it hires and trains needed personnel.

Your Committee has amended this measure by:

- (1) Clarifying the conditions under which the Department of Taxation is authorized to assist a county in levying, assessing, collecting, and otherwise administering the county transient accommodations tax;
- (2) Changing the period that the Department of Taxation is authorized to assist a county in levying, assessing, collecting, and otherwise administering the county transient accommodations tax, from two years to six years;
- (3) Specifying the purposes for which a county assisted under this measure may use the tax revenues collected;
- (4) Appropriating moneys to the Department of Taxation to assist a county in levying, assessing, collecting, and otherwise administering the county transient accommodations tax; and
- (5) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2831, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2831, 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 (Shimabukuro).

SCRep. 2847 Ways and Means on S.B. No. 3177

The purpose and intent of this measure is to amend the minimum qualifications for the Chairperson of the Taxation Board of Review.

Your Committee received testimony in support of this measure from the Department of Taxation.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that amending the minimum qualifications for the Chairperson of the Taxation Board of Review will help the State attract for the position a wider pool of qualified candidates who have relevant experience in Hawaii state tax law.

Your Committee has amended this measure by:

- (1) Clarifying that both attorneys and accounting professionals must have experience in Hawaii state taxes to be eligible to serve as Chairperson of the Taxation Board of Review;
- (2) Inserting a savings clause to clarify that the experience requirement does not apply to the Chairperson in office as of the measure's effective date; and
- (3) Making technical nonsubstantive edits for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3177, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3177, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2848 Judiciary on S.B. No. 2692

The purpose and intent of this measure is to:

- (1) Define what constitutes a dangerous dog; and
- (2) Establish penalties for owners of dangerous dogs.

Your Committee received testimony in support of this measure from the Office of the Prosecuting Attorney of the County of Hawaii, two members of the Hawai'i County Council, Hawaiian Humane Society, Aloha Animal Advocates, Hawaii Animal Welfare Association, Americans for Democratic Action Hawai'i, Animal Interfaith Alliance in Britain, and seventy-one individuals.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender, American Kennel Club, and two individuals.

Your Committee received comments on this measure from the Department of the Attorney General and two individuals.

Your Committee finds that the State struggles with the problem of loose dogs that behave aggressively. Although some aggressive dogs are feral or abandoned, others have owners who have failed to control or train their dogs. This measure will hold owners accountable for the aggressive actions of their dogs that harm persons or other animals.

Your Committee has amended this measure by:

- (1) Deleting language that would have included a private contractor retained by a county to enforce animal laws in the definition of "animal control authority";
- (2) Deleting language that would have defined "serious bodily injury";
- (3) Inserting a definition for "substantial bodily injury" to have the same meaning as defined in section 707-700, Hawaii Revised Statutes;
- (4) Replacing the term "serious injury to a domestic animal" with "substantial injury to any animal";
- (5) Inserting language allowing the owner of a dog declared to be a dangerous dog to initiate a contested case with the declarant officer's department or agency within thirty days following the service date of the declaration;
- (6) Specifying that the owner of a dangerous dog is required to keep the dangerous dog on a fixed and secure leash no longer than four feet in length when the dangerous dog is outside on the owner's premises and attended;
- (7) Specifying that the owner of a dangerous dog is required to keep the dangerous dog on a fixed and secure leash no longer than four feet in length and muzzled with a properly fitted basket muzzle when the dangerous dog is outdoors outside the owner's premises;
- (8) Specifying that the owner of a dangerous dog is required to place a sign or signs provided by the animal control authority on the owner's premises informing the public of the presence and dangerousness of the dangerous dog;
- (9) Clarifying that unless a dangerous dog has been or is ordered to be euthanized, instead of humanely destroyed, the owner of the dangerous dog is required to meet certain conditions and obtain liability insurance;

- (10) Deleting language that would have allowed any enforcement officer to have a dangerous dog seized and impounded upon finding probable cause of a violation or if the dangerous dog poses an imminent threat to a person or another animal;
- (11) Inserting language allowing a law enforcement officer, after obtaining a search warrant and if the officer finds probable cause to believe that a dangerous dog has been involved in a violation of negligent failure to control a dangerous dog, or if a dangerous dog poses an imminent threat of bodily injury to a person or another animal, to enter the premises where the dangerous dog is located and seize and impound the dog;
- (12) Inserting language requiring a law enforcement officer who impounds a dangerous dog to, if, after reasonable effort, the owner or person having custody of the dangerous dog cannot be found and notified of the impoundment, post an impoundment notice on the premises and within seventy-two hours after the posting send the notice by certified mail to the address, if any, from which the dangerous dog was removed;
- (13) Inserting language protecting a law enforcement officer who impounded a dangerous dog from liability for any damage resulting from entry involving the impoundment, unless the damage was caused by acts beyond the scope of the officer's authority, or the officer's negligence, gross negligence, or intentional misconduct;
- (14) Deleting redundant language that would have required a citation to notify the owner of the dangerous dog that is seized and impounded that if the owner fails to appear at the time and place stated in the court summons, the dangerous dog will be subject to relinquishment; and
- (15) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2692, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2692, 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. 2849 Hawaiian Affairs on S.B. No. 541

The purpose and intent of this measure is to designate the seventeenth day of January of each year as Reconciliation Day, to commemorate the memory of Queen Liliuokalani and the illegal overthrow of the Kingdom of Hawaii.

Your Committee received testimony in support of this measure from seven individuals.

Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that on January 17, 1893, the Kingdom of Hawaii witnessed the unjust and illegal overthrow of its sovereign monarch, Queen Liliuokalani, resulting in the disruption of the Hawaiian government and the sovereignty of the Hawaiian people. The actions that culminated in the overthrow of Queen Liliuokalani and the Kingdom of Hawaii were inconsistent with the principles of justice, self-determination, and international law. In 1993, the United States Congress, through P.L. 103-150, formally acknowledged and apologized for the wrongful acts that the United States committed on January 17, 1893. This measure establishes Reconciliation Day to recognize and remember this historical injustice and to advance efforts made towards reconciliation.

Your Committee notes that Reconciliation Day should be a state holiday and recognizes that establishing Reconciliation Day without granting it full state holiday status is a step towards that goal. In the future, your Committee believes that the State should organize and encourage events that educate the public and state employees about the illegal overthrow of the Kingdom of Hawaii, its ongoing legacy, and the dispossession of the Hawaiian people.

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. 541, 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, 5; Ayes with Reservations (Keohokalole). Noes, none. Excused, none.

SCRep. 2850 (Joint) Ways and Means and Judiciary on S.B. No. 578

The purpose and intent of this measure is to assist the Department of the Attorney General in temporarily filling certain positions.

Specifically, this measure:

- (1) Authorizes the Department of the Attorney General to employ retirants of the Employees' Retirement System as investigators without re-enrolling in the Employees' Retirement System if the position is identified as a labor shortage or difficult-to-fill position; and
- (2) Requires the appropriate director of human resources to report the employment of those retirants to the Legislature.

Your Committees received written comments in support of this measure from the Department of the Attorney General.

Your Committees received comments on this measure from the Department of Law Enforcement and Employees' Retirement System.

Your Committees find that the Department of Agriculture has also been experiencing difficulty filling management positions excluded from collective bargaining and that adding a similar authorization for qualified retirants will assist the State in temporarily filling those positions.

Your Committees have amended this measure by:

- (1) Authorizing the Department of Agriculture to hire retirants of the Employees' Retirement System for management positions excluded from collective bargaining, under certain conditions; 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. 578, S.D. 2, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 578, S.D. 3.

Signed by the Chairs on behalf of the Committees.
 Ways and Means: Ayes, 13. Noes, none. Excused, none.
 Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 2851 (Joint) Ways and Means and Judiciary on S.B. No. 2512

The purpose and intent of this measure is to establish notice and reporting requirements for the transfer of certain contributions and grants received by the Governor through the exercising of emergency management powers.

Your Committees received written comments in support of this measure from one individual.

Your Committees received written comments in opposition to this measure from the Hawaii Emergency Management Agency.

Your Committees received written comments on this measure from the Department of Budget and Finance.

Your Committees find that establishing notice and reporting requirements for the Governor's transfer of contributions and grants received through the exercising of emergency management powers will help to improve government transparency.

Your Committees have amended this measure by making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2512, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2512, S.D. 2.

Signed by the Chairs on behalf of the Committees.
 Ways and Means: Ayes, 13. Noes, none. Excused, none.
 Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 2852 (Joint) Ways and Means and Judiciary on S.B. No. 3009

The purpose and intent of this measure is to improve the protection of public officials and employees in the State.

More specifically, this measure:

- (1) Establishes a specific statutory duty of the Department of Law Enforcement and its Sheriff Division to ensure the safety and security of all judicial and legislative personnel and facilities; and
- (2) Requires the Sheriff Division to pursue accreditation from the Commission on Accreditation for Law Enforcement Agencies, Inc., as recommended by the Auditor in 2010 in Auditor Report No. 10-06, and to obtain and maintain that accreditation.

Your Committees received written comments in support of this measure from the Judiciary.

Your Committees received written comments on this measure from the Department of Law Enforcement.

Your Committees find that public officials and employees increasingly face the risk of personal reprisal from individuals affected by decisions made in the exercise of their official duties. Your Committees also find that, in Hawaii, threats and other inappropriate communications towards judges have increased tenfold, and threats towards judiciary social workers providing probation oversight have increased ninefold, over the last decade. Your Committees further find that, in light of the escalating safety risks for public officials, statutory amendments are necessary to specify the Sheriff Division's responsibilities for legislative and judicial security.

Your Committees have amended this measure by changing the effective date to July 1, 2024.

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. 3009, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3009, S.D. 2.

Signed by the Chairs on behalf of the Committees.
 Ways and Means: Ayes, 13. Noes, none. Excused, none.
 Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 2853 Ways and Means on S.B. No. 2085

The purpose and intent of this measure is to re-establish the Division of the State Fire Marshal within the Department of Law Enforcement.

Your Committee received written comments in support of this measure from the Office of the Governor, Department of Law Enforcement, Department of Labor and Industrial Relations, Maui Fire Department, Democratic Party of Hawaii, and one individual.

Your Committee received written comments on this measure from the Department of the Attorney General, Department of Land and Natural Resources, and Maui Chamber of Commerce.

Your Committee finds that state fire marshals serve an integral role in coordinating fire prevention efforts between state and county agencies. Your Committee further finds that the devastation of the August 8, 2023, Maui wildfires demonstrated a need for Hawaii to re-establish the Office of the State Fire Marshal. Your Committee recognizes that the State Fire Council is best equipped to appoint a state fire marshal, and that the Council is administratively placed within the Department of Labor and Industrial Relations.

Your Committee has amended this measure by:

- (1) Changing the administrative placement of the Division of the State Fire Marshal from the Department of Law Enforcement to the Department of Labor and Industrial Relations;
- (2) Changing the entity responsible for appointing the State Fire Marshal from the Director of Law Enforcement to the State Fire Council;
- (3) Removing police powers from the State Fire Marshal's duties and requiring the State Fire Marshal to work with state and county law enforcement agencies on enforcement of the State Fire Code;
- (4) Changing the appropriation's expending agency to the Department of Labor and Industrial Relations;
- (5) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2085, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2085, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2854 Ways and Means on S.B. No. 2291

The purpose and intent of this measure is to cultivate workforce development in the State.

Specifically, this measure establishes advisory boards focused on workforce development, for the Agribusiness Development Corporation, Hawaii Technology Development Corporation, and Natural Energy Laboratory of Hawaii Authority.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Labor and Industrial Relations; Hawaii Technology Development Corporation; Natural Energy Laboratory of Hawaii Authority; Hawaii Farm Bureau; and Hawaii Farmers Union.

Your Committee finds that the advisory boards created by this measure will help each respective agency to identify workforce needs and improve coordination and alignment with Hawaii businesses, community partners, and other agencies. This increased coordination and alignment will foster development of the local workforce and increase the State's economic sustainability.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 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. 2291, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2291, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2855 Commerce and Consumer Protection on S.B. No. 2092

The purpose and intent of this measure is to require the Public Utilities Commission to direct each electric utility company in the State to file proposals for programs to provide certain benefits to residential property owners in fire-prone areas that install electric infrastructure improvements to reduce or eliminate the impacts of wildfires on their residential properties or purchase emergency equipment or supplies for use in deenergization events.

Your Committee received testimony in opposition to this measure from the Kaua'i Island Utility Cooperative and Life of the Land.

Your Committee received comments on this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Public Utilities Commission, Hawaiian Electric, and Maui Chamber of Commerce.

Your Committee finds that for those who reside in fire-prone areas, contingency planning is essential to preventing and minimizing the damages from wildfires. While many homeowners have already taken steps to prepare themselves in the event of a wildfire by upgrading certain electric infrastructure or installing a home backup solar generator, these types of improvements can be expensive and cost-prohibitive for others, especially lower-income households. Therefore, this measure will engage the State's public utilities to develop innovative fire mitigation benefit programs for certain homeowners to incentivize and assist Hawaii's residents in creating safer and more fire-wise communities.

Your Committee has amended this measure by:

- (1) Amending the language to allow, rather than require, the benefits provided to residential property owners under each electric utility company's proposed benefits program to include financial assistance, rebates, subsidized tariffs or rates, and payment programs; and
- (2) Inserting an effective date of July 1, 2040, 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. 2092, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2092, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (McKelvey). Noes, none. Excused, 1 (Awa).

SCRep. 2856 (Joint/Majority) Commerce and Consumer Protection and Judiciary on S.B. No. 2461

The purpose and intent of this measure is to:

- (1) Amend the circumstances under which medical cannabis may be transported by and between dispensaries; and
- (2) Require the Department of Health to adopt rules no later than nine months after a medical cannabis product is permitted to be manufactured and distributed by dispensaries.

Your Committees received testimony in support of this measure from the Hawaii Cannabis Industry Association, Cure Oahu, Pono Life Maui, and Hawaiian Ethos.

Your Committees received testimony in opposition to this measure from the Department of Health.

Your Committees received comments on this measure from Akamai Cannabis Consulting.

Your Committees find that the practice of wholesaling, which means the act of buying a large number of goods directly from a manufacturer or producer, storing them, and preparing them for sale in smaller quantities to retailers, is a well-established business practice that provides cost savings through bulk purchasing and economies of scale and streamlined inventory management that can help stabilize supply chains. Your Committees also find that for medical cannabis, under existing law, wholesale only occurs upon request by a dispensary who can show an emergency or proof of need, with the Department of Health having no specific timeline to respond and complete discretion to reject any request. This limited wholesale approach has impaired dispensaries' abilities to efficiently plan their business operations and has led to the disruption in supply of medical cannabis to many patients in need. Therefore, this measure amends the medical cannabis dispensary system law in Hawaii to clarify that any medical cannabis dispensary may purchase cannabis and manufactured cannabis products directly from another dispensary as a matter of course, without the need to demonstrate a need for the purchase.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2040, 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. 2461, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2461, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 3. Noes, 1 (Awa). Excused, 1 (McKelvey).

Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 2857 Judiciary on S.B. No. 2693

The purpose and intent of this measure is to:

- (1) Establish the offense of charitable fraud during a state of emergency; and
- (2) Provide that a person commits charitable fraud during a state of emergency if that person, during a state of emergency proclaimed by the Governor, performs certain deceptive acts or practices in connection with the solicitation of a contribution to assist persons affected by a disaster or emergency.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that natural disasters present an opportunity for persons to fraudulently solicit contributions for disaster relief victims during a state of emergency declared by the Governor. This measure provides the State with a means to prosecute persons engaging in charitable fraud and theft in the wake of an emergency.

Your Committee has amended this measure by:

- (1) Deleting language that would have made the measure apply retroactively to July 1, 2023; and
- (2) Inserting an effective date of April 14, 2112, 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. 2693, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2693, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 2858 (Joint) Ways and Means and Judiciary on S.B. No. 3139

The purpose and intent of this measure is to establish and appropriate moneys for a crisis intervention and diversion services program within the Department of Health and to define the term “mental health emergency worker.”

Your Committees received written comments in support of this measure from the Judiciary, Department of Health, Disability and Communication Access Board, State Council on Mental Health, Hawaii Substance Abuse Coalition, Opportunity Youth Action Hawaii, Community Alliance on Prisons, and one individual.

Your Committees received written comments on this measure from The Queen’s Health System.

Your Committees find that the crisis intervention and diversion services program established by this measure will help ensure that persons having mental illnesses or co-occurring mental illnesses and substance use disorders receive appropriate treatment. Your Committees further find that these services will help reduce or prevent the person’s involvement with the criminal justice system.

Your Committees note that the Department of Health requested amendments to this measure, including technical amendments to Sections 2 and 5, and the deletion of the proposed definition of “mental health emergency worker” and the requirement that the Department of Health establish standards and rules for the designation of such workers, contained in Sections 3 and 4, respectively.

Your Committees have amended this measure by making technical nonsubstantive edits for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3139, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3139, S.D. 2.

Signed by the Chairs on behalf of the Committees.
Ways and Means: Ayes, 13. Noes, none. Excused, none.
Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 2859 (Joint) Ways and Means and Judiciary on S.B. No. 3141

The purpose and intent of this measure is to improve data tracking and mental health services for persons experiencing mental health crises.

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 respond to reports about persons having severe mental illnesses who are in need of assessment, assess whether the person may fulfill the criteria for assisted community treatment, and coordinate the process for an assisted community treatment order if indicated;
- (3) Establishes that a court’s denial of a petition for involuntary commitment serves as notification to the Department of Health that the person should be evaluated for assisted community treatment;
- (4) Appropriates moneys to the Department of Health for software, data collection, and data publication; and
- (5) Appropriates moneys to the Department of Health for statewide education and training on policies related to emergency examination and hospitalization and assisted community treatment.

Your Committees received written comments in support of this measure from the State Council on Mental Health, Disability and Communication Access Board, Department of Health Behavioral Health Administration, and Hawaii Substance Abuse Coalition.

Your Committees received written comments on this measure from the Queen’s Health System.

Your Committees find that the data tracking and mental health services required by this measure will help establish baseline metrics and improve the State’s continuum of care for persons experiencing mental health crises.

Your Committees have amended this measure by:

- (1) Repealing the sunset date of Act 111, Session Laws of Hawaii 2017, which allows a patient who has been involuntarily committed to a psychiatric facility to be ordered to receive treatment over the patient’s objection; and
- (2) Making technical nonsubstantive edits 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. 3141, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3141, S.D. 2.

Signed by the Chairs on behalf of the Committees.
Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Lee).
Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 2860 (Joint) Judiciary and Ways and Means on S.B. No. 2029

The purpose and intent of this measure is to prohibit any law, ordinance, or rule from imposing an inclusionary zoning requirement on housing offered exclusively for sale or rent in perpetuity to buyers or renters who are residents of the State, are owner-occupants or renters, and do not own any other real property.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Grassroot Institute of Hawaii, and Church of the Crossroads.

Your Committees received testimony in opposition to this measure from the City and County of Honolulu Department of Planning and Permitting and UNITE HERE Local 5.

Your Committees find that the State is experiencing a severe shortage of affordable housing. However, there has been a lack of measurable progress at the county level to enact policies that will stimulate housing production to meet the housing demand. Your Committees believe that this measure incentivizes the production of housing units at all price points and encourages more developers to build affordable housing in the State for residents.

Your Committees have amended this measure by inserting an effective date of April 14, 2112, 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. 2029, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2029, 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. 2861 (Joint) Judiciary and Ways and Means on S.B. No. 2991

The purpose and intent of this measure is to:

- (1) Require the Hawaii Labor Relations Board to adopt rules establishing criteria for the creation of new bargaining units;
- (2) Require any employee, employer, or exclusive representative proposing a new bargaining unit to submit an application to the Hawaii Labor Relations Board;
- (3) Require the Hawaii Labor Relations Board to consider certain criteria in determining the appropriateness of a new bargaining unit;
- (4) Require the Hawaii Labor Relations Board to, upon its approval of the application, submit a report to the Legislature, including proposed legislation for the Legislature to consider and enact to create the new bargaining unit, accompanied by a decision and order issued by the Board;
- (5) Set forth procedures that the Hawaii Labor Relations Board must follow when it denies an application; and
- (6) Appropriate funds.

Your Committees received no testimony on this measure.

Your Committees find that although there are a number of interested groups seeking to form bargaining units, existing law does not provide clear criteria or procedures to make those determinations. This measure will establish the authority for the Hawaii Labor Relations Board to develop the criteria for and to assess requests for determination of new bargaining units.

Your Committees have amended this measure by:

- (1) Inserting legislative findings;
- (2) Inserting language allowing any employee, employer, or executive representative to petition the Hawaii Labor Relations Board to determine the appropriateness of a new bargaining unit;
- (3) Deleting language that would have set forth procedures that the Hawaii Labor Relations Board must follow when it denies an application;
- (4) Clarifying that the blank appropriation in this measure is for the development of the criteria and procedures established by this measure and to establish one full-time equivalent (1.0 FTE) position within the Hawaii Labor Relations Board to implement the criteria and procedures established by this measure; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2991, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2991, 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. 2862 Ways and Means on S.B. No. 2345

The purpose and intent of this measure is to improve the State's crisis intervention practices.

More specifically, this measure:

- (1) Requires the Department of Law Enforcement to coordinate crisis intervention training for state and county law enforcement agencies and crisis intervention officers;
- (2) Requires the Department of Health to certify crisis intervention officers;
- (3) Defines “crisis intervention officer”;
- (4) Establishes and appropriates moneys for crisis intervention coordinator positions; and
- (5) Appropriates moneys for the training and certification of crisis intervention officers.

Your Committee received written comments in support of this measure from the Department of Health; Department of Law Enforcement; Disability and Communication Access Board; State Council on Mental Health; Alzheimer’s Association; Hawaii Health and Harm Reduction Center; Hawaii Primary Care Association; Hawaii Substance Abuse Coalition; Institute for Human Services, Inc.; National Alliance on Mental Illness Hawaii; Opportunity Youth Action Hawaii; and three individuals.

Your Committee finds that, in response to an influx of habitual offenders, some of whom suffer from chronic conditions relating to drugs, alcohol, or mental illness, mental health service providers have been working with appropriate law enforcement agencies and the criminal justice system to implement crisis intervention programs. Your Committee also finds that a critical member of a crisis intervention team is the law enforcement officer, and that de-escalation and prevention efforts have been successful when law enforcement officers are trained in mental health first aid and crisis intervention.

Your Committee has amended this measure by:

- (1) Requiring the Department of Law Enforcement and county law enforcement agencies to identify one or more nationally recognized crisis intervention organizations able to provide training and certification for crisis intervention officers;
- (2) Deleting the requirement that the Department of Health certify crisis intervention officers;
- (3) Inserting language to allow a crisis intervention officer to respond to a call for assistance from a law enforcement officer who has reason to believe that a person is imminently dangerous to themselves or others;
- (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. 2345, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2345, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, none.

SCRep. 2863 Ways and Means on S.B. No. 2514

The purpose and intent of this measure is to improve enforcement of the State’s tax laws.

More specifically, this measure requires attorneys who are applying for a pro hac vice appearance in the State’s courts to provide:

- (1) Evidence of local counsel’s Hawaii business registration;
- (2) The applicant’s Hawaii general excise tax license number;
- (3) An affirmation that both the applicant and local counsel shall pay all state income tax due for Hawaii business activities; and
- (4) All other information or documentation required by the rules of the Hawaii Supreme Court.

Your Committee received written comments in opposition to this measure from the Judiciary.

Your Committee received written comments on this measure from the Tax Foundation of Hawaii and one individual.

Your Committee finds that out-of-state attorneys who practice in Hawaii’s courts pro hac vice may be unaware that they owe the state general excise tax. Your Committee also finds that, unlike a sales tax in most other states, Hawaii’s general excise tax applies to both gross rental income and gross service income. Your Committee believes that amending the process by which out-of-state attorneys are admitted to practice law in Hawaii’s courts will help inform the attorneys of their state tax obligations when conducting business in Hawaii.

Your Committee further notes the concerns raised by the Judiciary and Tax Foundation of Hawaii that the measure, as currently drafted, may pose a constitutional problem. Article VI, section 7, of the Hawaii State Constitution states that “[t]he supreme court shall have power to promulgate rules and regulations in all civil and criminal cases for all courts relating to process, practice, procedure and appeals, which shall have the force and effect of law.” By requiring the Supreme Court to amend its rules regarding the admittance of pro hac vice counsel, this measure presents a separation of powers question.

To allow for further discussion, 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. 2514, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2514, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, none.

SCRep. 2864 Ways and Means on S.B. No. 2842

The purpose and intent of this measure is to improve wildfire safety and prevention efforts in the State.

More specifically, this measure establishes the Wildfire Mitigation Working Group within the Department of Land and Natural Resources to advise and make recommendations to state agencies concerning the State's wildfire safety and prevention efforts.

Your Committee received written comments in support of this measure from the Office of Planning and Sustainable Development, Democratic Party of Hawaii, Hawaii Forest Industry Association, and Maui Chamber of Commerce.

Your Committee received written comments on this measure from the Department of Land and Natural Resources and Public Utilities Commission.

Your Committee finds that wildfires pose an increasing threat to the communities, natural resources, and economy of the State. Your Committee also finds that a comprehensive and collaborative approach is needed to address this growing challenge. Your Committee further finds that a working group comprising government agencies, fire experts, landowners, and stakeholders is required to identify solutions that address the State's wildfire preparedness and mitigation challenges and improve the State's wildfire preparedness and mitigation practices.

Your Committee has amended this measure by:

- (1) Clarifying the Wildfire Mitigation Working Group's duties with regard to developing and making recommendations to the Public Utilities Commission; 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. 2842, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2842, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, none.

SCRep. 2865 Ways and Means on S.B. No. 3006

The purpose and intent of this measure is to help ensure funding for the Hawaii Convention Center facility.

Specifically, the measure:

- (1) Authorizes the Hawaii Tourism Authority to sell or lease naming rights in and on the convention center facility; and
- (2) Facilitates advertising and marketing in or on the facility.

Your Committee received written comments in support of this measure from the Hawaii Tourism Authority and Hawaii Lodging & Tourism Association.

Your Committee received written comments in opposition to this measure from UNITE HERE! Local 5.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Hawaii Convention Center has hosted numerous high-profile convenings, national and local conferences and conventions, festivals, and events held by local, national, and international entities. Your Committee believes that selling or leasing naming rights to this well-recognized center has the potential to create funding opportunities to address the center's future repair and maintenance needs.

Your Committee has amended this measure by:

- (1) Clarifying that the provision limiting outdoor advertising devices to the display of certain words applies to any outdoor advertising device in or on the convention center facility that faces away from the facility;
- (2) Changing the effective date from January 1, 2060, to upon its approval; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3006, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3006, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2866 Ways and Means on S.B. No. 3279

The purpose and intent of this measure is to facilitate the provision of mental health services.

Specifically, the measure:

- (1) Establishes within the Office of the Wellness and Resilience a state of well-being project to assess and enhance certain mental health support services; and

- (2) Appropriates moneys to the Office of the Wellness and Resilience to establish an unspecified number of full-time equivalent mental health specialist positions.

Your Committee received written comments in support of this measure from the Executive Office on Early Learning, Office of the Public Defender, Office of Wellness and Resilience, Catholic Charities Hawaii, Maui Chamber of Commerce, Elected Officials to Protect America Code Blue Water Solutions, and two individuals.

Your Committee recognizes that mental health issues affect many people of all ages across the State. Your Committee believes that providing for trauma-informed care, which understands and responds to the widespread impact of trauma, would be of great benefit to individuals in need of mental health support services.

Your Committee has amended this measure by:

- (1) Inserting definitions for the terms “tier 1 mental health support” and “tier 2 mental health support”;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3279, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3279, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2867 Ways and Means on S.B. No. 3282

The purpose and intent of this measure is to replace the Hawaii State Energy Office with the Energy Division of the Department of Business, Economic Development, and Tourism.

More specifically, this measure:

- (1) Renames the Hawaii State Energy Office as the Energy Division and repeals its administrative attachment to the Department of Business, Economic Development, and Tourism provision;
- (2) Transfers the Energy Division to the Department of Business, Economic Development, and Tourism;
- (3) Clarifies the powers and duties of the Energy Division;
- (4) Renames the Chief Energy Officer of the Hawaii State Energy Office as the Chief Energy Administrator of the Energy Division;
- (5) Amends the eligibility requirements for, and the duties of, the Chief Energy Administrator; and
- (6) Appropriates moneys for the Energy Division.

Your Committee received written comments on this measure from the Hawaii State Energy Office.

Your Committee finds that by amending the powers and duties of the Chief Energy Administrator and the Energy Division of the Department of Business, Economic Development, and Tourism, this measure will help the State to more efficiently and effectively achieve its clean power generation goals.

Your Committee has amended this measure by:

- (1) Clarifying that the Chief Energy Administrator and Energy Division are required to advocate only for the State’s energy goals, rather than the State’s energy and decarbonization goals;
- (2) Changing the appropriation from \$12,105,644 to \$2,664,394; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3282, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3282, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Inouye).

SCRep. 2868 (Joint/Majority) Commerce and Consumer Protection and Judiciary on S.B. No. 2492

The purpose and intent of this measure is to:

- (1) Allow the Governor to enter the State into the multi-state Nurse Licensure Compact, which will allow a nurse who is licensed by a home state to practice under a multi-state licensure privilege in each party state, effective January 1, 2026; and
- (2) Beginning January 1, 2026, allow the State Board of Nursing to charge different fees for registered nurses and licensed practical nurses who hold a multi-state license issued by the State.

Your Committees received testimony in support of this measure from the United States Department of Defense; Department of Labor and Industrial Relations; Disability and Communication Access Board; Hawaii Health Systems Corporation; Hawai‘i Health Systems Corporation, West Hawai‘i Region; Hawai‘i State Center for Nursing; Hawai‘i Primary Care Association; Kaiser Permanente

Hawai'i; Palolo Chinese Home; Indivisible Hawaii Healthcare Team; Hawai'i Affiliate of the American College of Nurse-Midwives; Hawai'i Pacific Health; Healthcare Association of Hawaii; Grassroot Institute of Hawaii; Hawai'i Care Choices; The Queen's Health System; Save Medicaid Hawaii; Hawaii Military Affairs Council; Hawaii Young Republicans; and thirteen individuals.

Your Committees received testimony in opposition to this measure from the Hawai'i Nurses' Association – OPEIU Local 50, Hawai'i American Nurses Association, and two individuals.

Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs and Board of Nursing.

Your Committees find that the nursing shortage in Hawaii poses challenges to the long-term workload for available nurses and poses a threat to public safety during emergencies. Your Committees also find that the multi-state Nurse Licensure Compact, which allows a nurse who is licensed by a home state to practice under a multi-state licensure privilege in states that are a party to the compact, could help alleviate the State's nursing shortage by allowing more nurses to practice in Hawaii without the burden of obtaining an additional license. In addition, the multi-state Nurse Licensure Compact could allow nurses to quickly cross state borders and provide vital services in the event of a disaster, such as the August 2023 Maui wildfires. Your Committees find that it is in the public interest to allow the Governor to enter the State into the multi-state Nurse Licensure Compact to expand the much-needed pool of qualified nurses and improve health care services statewide.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2040, 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. 2492, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2492, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 3. Noes, 1 (Awa). Excused, 1 (McKelvey).

Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 2869 Commerce and Consumer Protection on S.B. No. 3195

The purpose and intent of this measure is to amend the narrow definition of "renewable energy producer" in section 171-95, Hawaii Revised Statutes (HRS), which allows the Board of Land and Natural Resources to lease public lands to renewable energy producers without public auction, to:

- (1) Incorporate the definition of "renewable energy" as defined in section 269-91, HRS, relating to the State's renewable portfolio standards; and
- (2) Repeal the requirement that the renewable energy producer or developer sell all of the net power produced from the demised public land to an electric utility company regulated under chapter 269, Hawaii Revised Statutes, and all of the thermal energy it produces to customers of district cooling systems.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office and Department of Land and Natural Resources.

Your Committee received testimony in opposition to this measure from the Kaua'i Island Utility Cooperative.

Your Committee received comments on this measure from the Public Utilities Commission, Hawaiian Electric, and Ulupono Initiative.

Your Committee finds that section 171-95, HRS, allows the Board of Land and Natural Resources to lease public lands to renewable energy producers without public auction, enabling the renewable energy producers to directly negotiate with the Board for favorable terms and conditions. However, under existing law, to be eligible for a directly negotiated lease, a renewable energy producer is required to sell all of the net power produced from the demised premises to an electric utility company regulated under the state Public Utilities Commission law. Your Committee finds that by amending the definition of "renewable energy producer" to remove these limitations, this measure will expand the pool of potential applicants eligible for leases, provide the Board of Land and Natural Resources with greater flexibility to generate revenue, and support the State in achieving its ambitious renewable energy goals.

Your Committee has amended this measure by:

- (1) Inserting language to include any provider of district heating or cooling services utilizing renewable energy within the definition of "renewable energy producer" under section 171-95, HRS;
- (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. 3195, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3195, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2870 Commerce and Consumer Protection on S.B. No. 3287

The purpose and intent of this measure is to:

- (1) Change the fees that a towing company may charge to tow vehicles left unattended on private and public property; and
- (2) Allow a towing company or parking management company to charge a fee for the placement or removal of vehicle immobilization devices.

Your Committee received testimony in support of this measure from Pinky Tows Pacific, Inc.; Finest Towing; RJ's Towing and Recovery; IEH Towing, LLC; Honolulu Towing, Inc.; Cachola Towing, LLC; and five individuals.

Your Committee received comments on this measure from the Office of Consumer Protection of the Department of Commerce and Consumer Affairs and Hawaii Insurers Council.

Your Committee finds that certain statutory tow rates for vehicles left unattended on private and public property have remained the same since they were last amended by Act 269, Session Laws of Hawaii 2007. Your Committee recognizes that in the near decade and a half since then, the cost of operating a business in the State has increased, including the costs of labor, fuel, insurance, and towing equipment. Therefore, this measure will provide much needed assistance to the towing industry and ensure that the actual cost of a tow is reflected in the statutory rates allowed per tow. Further, this measure will allow towing and parking management companies to take advantage of the innovative vehicle immobilization technologies that have emerged on the market.

Your Committee has amended this measure by:

- (1) Inserting language that requires towing companies that charge fees to tow vehicles left unattended on private and public property and towing or parking management companies that charge fees for the placement or removal of vehicle immobilization devices to:
 - (A) Accept payment by the vehicle owner for the charges by cash, credit card, and debit card; and
 - (B) Prohibit the company from directing an individual to use an on-site automated teller machine in lieu of accepting payment by credit card and debit card; and
- (2) Making 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. 3287, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3287, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2871 Judiciary on S.B. No. 3025

The purpose and intent of this measure is to:

- (1) Clarify that the Department of Agriculture shall not require inspections or sampling of hemp that duplicate inspections and sampling required by the United States Department of Agriculture; and
- (2) Repeal the requirement for the Department of Agriculture to adopt rules necessary to address nuisance issues, including smell, noise, and excessive lighting, arising out of the activities of certain hemp growers.

Your Committee received testimony in support of this measure from the Department of Agriculture.

Your Committee finds that existing law requires the Department of Agriculture to create additional rules to address nuisance issues, including smell, noise, and excessive lighting arising out of the activities of hemp growers. However, pre-existing regulations and authority under the Department of Health and county land use ordinances address these types of nuisances. Your Committee believes that these pre-existing frameworks of regulatory oversight for nuisance and other issues are the proper and preferred means to avoid any ambiguity that may arise. This measure will avoid the creation of a duplicative enforcement framework that may result in confusion and challenges due to incompatible oversight and conflicting actions and decisions.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3025 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2872 Judiciary on S.B. No. 3026

The purpose and intent of this measure is to replace representatives of the sugar and pineapple industries on the Advisory Committee on Pesticides with representatives of the coffee and diversified agriculture industries.

Your Committee received testimony in support of this measure from the Department of Agriculture, University of Hawai'i College of Tropical Agriculture and Human Resources, Hawai'i Farm Bureau, Hawai'i Alliance for Progressive Action, and Hawai'i Food+ Policy.

Your Committee finds that there has been a significant reduction in the agricultural footprint of the sugar and pineapple industries in the State since the Advisory Committee on Pesticides was established. Coffee is now among the top three most economically significant crops in the State, and diversified agriculture and minor crops comprise a large portion of agricultural production in the State. Your Committee believes that as the State's agricultural landscape evolves, it is imperative that advisory committees reflect

these changes to provide effective guidance and oversight. This measure will bring much-needed expertise and perspective to the Advisory Committee on Pesticides and ensure that decisions regarding pesticide regulations and management strategies are informed by a diverse range of stakeholders.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3026 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. 2873 Judiciary on S.B. No. 2753

The purpose and intent of this measure is to clarify that no state or county building code shall prohibit the use of a substitute refrigerant allowed by the Environmental Protection Agency if the applicable equipment is listed and installed in compliance with the latest safety standards.

Your Committee received testimony in support of this measure from the Department of Health, Building Decarbonization Task Force of the Hawai'i Environmental Change Agents, 350Hawaii.org, Climate Protectors Hawai'i, and one individual.

Your Committee finds that hydrofluorocarbons (HFCs) are chemicals commonly used in air conditioning, refrigeration, insulating foam, and as propellants. Although HFCs were designed to replace ozone depleting substances that were harming the planet's protective ozone layer, HFCs are now acting as greenhouse gasses that are thousands of times more potent than carbon dioxide in contributing to climate change. This measure will require necessary building code updates to provide the certainty that the manufacturing industry needs to comply with federal regulations and to ensure that the transition to alternate refrigerants is safe and efficient.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2753 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2874 Judiciary on S.B. No. 2960

The purpose and intent of this measure is to:

- (1) Require lessees and purchasers of farm lots and ranch lots use that land for farming and producing food; and
- (2) Authorize agricultural cooperatives to apply for farmlands.

Your Committee received testimony in support of this measure from the Department of Agriculture; Agribusiness Development Corporation; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; and Hawaii Food+ Policy.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that "gentlemen estates", or homes on agricultural lands where wealthy individuals can purchase large parcels of land on which to live and pursue farming as a hobby, often conflict with bona fide farmers in surrounding areas when dust, odors, smoke, and noise from legitimate farms offend those who live on the gentlemen estates. Additionally, agricultural lands that were developed to create gentlemen estates, where little to no farming exists, also increase the cost of agricultural land, making it nearly impossible for bona fide farmers to purchase farmland. This measure will ensure that agricultural lands are used primarily for productive agricultural purposes.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2960, 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. 2875 Judiciary on S.B. No. 2631

The purpose and intent of this measure is to:

- (1) Prohibit commercial website operators from publishing mugshots; and
- (2) Establish exemptions.

Your Committee received no testimony on this measure.

Your Committee finds that booking or arrest photographs, also known as mugshots, are publicly available on law enforcement websites and sometimes utilized for commercial purposes. However, the availability of mugshots for commercial consumption can be extremely harmful to one's reputation and compromises possible employment opportunities. As arrests regularly occur without resulting in actual criminal charges, widespread publication of booking or arrest photographs may be distressing for the individual depicted in the photograph. Therefore, this measure clarifies the usage of booking or arrest photographs to prohibit certain uses that may harm the individual depicted.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2631 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2876 (Majority) Judiciary on S.B. No. 3147

The purpose and intent of this measure is to clarify that the Director of Law Enforcement has authority to issue subpoenas as part of the investigative powers of the Department of Law Enforcement.

Your Committee received testimony in support of this measure from the Department of Law Enforcement.

Your Committee received testimony in opposition of this measure from one individual.

Your Committee finds that the Director of Law Enforcement currently does not have subpoena powers to competently conduct investigations. This measure will provide the Department of Law Enforcement with the powers to fulfill its duties in reducing crime and protecting the safety and security of the public.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3147, 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. 2877 (Joint) Commerce and Consumer Protection and Judiciary on S.B. No. 2715

The purpose and intent of this measure is to make it unlawful for an employer to discharge, discipline, or otherwise penalize or threaten any adverse employment action against an employee because the employee declines to attend or participate in an employer-sponsored meeting that communicates the opinion of the employer about political matters, or declines to receive or listen to a communication from the employer that communicates the opinion of the employer about political matters.

Your Committees received testimony in support of this measure from the International Longshore and Warehouse Union Local 142; Hawaii State AFL-CIO; International Union of Painters and Allied Trades, District Council 50; and thirty-nine individuals.

Your Committees received testimony in opposition to this measure from the Maui Chamber of Commerce.

Your Committees received comments on this measure from the NFIB's Hawaii Chapter and Society for Human Resource Management Hawaii.

Your Committees find that "captive audience meetings", where employee attendance is mandatory or de facto mandatory, are sometimes used by employers to spread political views that have little to no relevance to the employee's work duties or the workplace. Under existing law, there are few protections for employees who refuse to attend, which can result in employees being treated negatively or suffering from repercussions put in place by their employer. Your Committees find that participation in these meetings should be voluntary, and there should be no penalty imposed should an employee decide not to attend. Therefore, this measure protects workers from being penalized for refusing to attend such meetings.

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. 2715, 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, none. Excused, 1 (McKelvey).

Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 2878 Judiciary on S.B. No. 3121

The purpose and intent of this measure is to make housekeeping amendments to sections 356D-8, 356D-10, 356D-21, 356D-22, 356D-23, and 356D-24, Hawaii Revised Statutes (HRS), to incorporate the definition of "housing project" in section 356D-11, HRS, to align with previous amendments to chapter 356D, HRS, under Act 251, Session Laws of Hawaii 2022.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority.

Your Committee finds that concentrating public housing for extremely low-income families in dense urban areas has shown to not be an effective use of scarce affordable housing resources. Your Committee also finds that the mixed-income and mixed-finance redevelopment model is a proven and successful redevelopment model nationwide and supported and encouraged by the federal government. Accordingly, this measure clarifies statutory references to give an opportunity to people of all income levels to live side by side in a community that does not isolate the poor.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3121 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. 2879 Judiciary on S.B. No. 2977

The purpose and intent of this measure is to:

- (1) Make it unlawful for an unlicensed contractor to offer or perform repairs or improvements to a residential or nonresidential structure or property, or add to or subtract from grounds in connection with the structure or property, for damage or destruction caused by a natural disaster for which a state of emergency or disaster is proclaimed by the Governor; and
- (2) Require violations to be punished by a fine of not more than \$10,000, imprisonment up to one year, or both, in addition to all other remedies or penalties.

Your Committee received testimony in support of this measure from the Office of Consumer Protection of the Department of Commerce and Consumer Affairs, Contractors License Board, Maui Chamber of Commerce, and Subcontractors Association of Hawaii.

Your Committee finds that existing law provides for enhanced civil and criminal penalties for unlicensed contracting after a disaster, but only when a person without a contractor license is performing repairs that require a contractor's license to perform. This may deter unlicensed contracting after a disaster when the property damage resulting from the disaster is property damage that can be repaired, but will not deter unlicensed contracting after a disaster when the property damage that results from the disaster is destruction of existing structures. This measure will protect property owners in the State by reducing the risks of poor workmanship, jobsite injuries, and contractor fraud following a disaster.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2977 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2880 Judiciary on S.B. No. 2597

The purpose and intent of this measure is to clarify that the prohibition against board and commission holdover members from holding office beyond the end of the second regular legislative session following the expiration of the member's term of office takes precedence over any conflicting statutes.

Your Committee received no testimony on this measure.

Your Committee finds that boards and commissions provide a valuable function to government through policy formulation, fiscal analysis, and community engagement. Full membership of a board or commission ensures proper representation, greater participation, and valuable insight into various matters before a board or commission. However, certain boards and commissions may have holdover members. Therefore, this measure clarifies how long a person can serve on a board or commission after their term has expired.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2597 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2881 (Majority) Judiciary on S.B. No. 3167

The purpose and intent of this measure is to:

- (1) Authorize the Governor to execute a compact on behalf of the State to cooperate in the Pacific States Marine Fisheries Commission; and
- (2) Establish procedures for selection and succession of commissioners.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Hawaii Fishermen's Alliance for Conservation and Tradition.

Your Committee finds that the Pacific States Marine Fisheries Commission's mission closely aligns with the mission of the Department of Land and Natural Resources to work with the people of Hawai'i to manage, conserve, and restore the State's unique aquatic resources and ecosystems for present and future generations. While the Commission has no regulatory or management authority, your Committee notes that it serves a number of vital functions including providing a forum for the discussion of interstate fisheries resources management issues, coordinating research and management projects related to interstate fisheries, and dispersing federal fishery funds. This measure will facilitate improved management of state and regional marine fishery resources and allow the State to increase its collaboration with other Pacific Ocean states.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3167, 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. 2882 Judiciary on S.B. No. 3124

The purpose and intent of this measure is to authorize the Director of Health to allow persons to apply for civil union and marriage licenses through online access in lieu of in-person applications.

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 in-person requirement for licenses was established prior to modern day telecommunication technology advancements and was intended to assure persons seeking a marriage or civil union license were not under duress. Your Committee further finds that during and after the coronavirus disease 2019 pandemic, the issuance of licenses to marry online remained a legitimate way, with the adaptation of high-definition fidelity video and audio devices, to afford a marriage agent the opportunity to observe for certain signs of duress. With over twenty thousand marriage licenses a year, most from out-of-state couples, there has only been one case where questions were raised. This measure will permanently authorize the online option to issue licenses, which will increase public access to government services via the Internet with minimal additional burdens or risks.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3124 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. 2883 Judiciary on S.B. No. 3059

The purpose and intent of this measure is to clarify the requirements to establish a quorum to do business and validate acts of the Stadium Authority.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Stadium Authority.

Your Committee finds that the Stadium Authority has had issues establishing a quorum under existing law and has been unable to take any official action or adopt measures. Your Committee further finds that clear quorum requirements for the Stadium Authority will foster transparent and accountable decision-making and enhance the public's trust in the Stadium Authority. This measure provides needed clarity to ensure the Stadium Authority can establish quorum to conduct its important business.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3059, 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. 2884 Judiciary on S.B. No. 3133

The purpose and intent of this measure is to authorize the Department of Health to conduct fingerprinting and criminal history record checks on applicants who apply for a permit to operate as a hemp processor.

Your Committee received testimony in support of this measure from the Department of Health.

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

Your Committee finds that certain aspects of the hemp industry are regulated by both the Department of Agriculture and the Department of Health. Presently, the Department of Health regulates hemp products and the processing of hemp within the State, including permit requirements for hemp processors. However, as the Department of Health does not have the authority to conduct criminal history checks on consenting hemp processor applicants, only applicants with a valid United States Department of Agriculture license are eligible to apply to be a permitted hemp processor. Therefore, this measure effectuates the legislative intent of Act 263, Session Laws of Hawaii 2023, to provide prospective hemp processor applicants with alternative eligibility requirements for criminal history checks.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3133, 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. 2885 Judiciary on S.B. No. 2859

The purpose and intent of this measure is to authorize the use of a master certificate of title for new common interest communities to simplify and streamline the operation of the land court.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the existing process for the land court system requires the certificate of title of each unit to note any amendment to the documents governing a condominium or planned community. By utilizing a master certificate of title that lists encumbrances of general application, certificates of title for individual units can accurately incorporate by reference the encumbrances on the master certificate of title, creating a history of amendments to a specific condominium or planned community. This measure streamlines the land court process by eliminating requirements to certificate of title amendments for each unit to reflect any changes in the encumbrances of general application to the condominium or planned community.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2859, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2886 (Joint) Judiciary and Ways and Means on S.B. No. 3362

The purpose and intent of this measure is to:

- (1) Authorize the temporary assignment of permanent legislative staff during the interim to executive or judicial branch agencies; and
- (2) Establish that while on temporary assignment, the temporarily assigned employee is still considered an employee of the Legislature and exempt from civil service.

Your Committees received testimony in support of this measure from the Department of Transportation.

Your Committees received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committees find that, pursuant to the Hawaii State Constitution, the Legislature convenes annually for sixty days, beginning on the third Wednesday in January. Your Committees believe that assigning permanent legislative employees to other state departments and agencies while the Legislature is not in session will provide the staffer with a breadth of experience and knowledge. This measure will allow permanent legislative employees to learn the operational work of executive or judicial branch agencies, which will be invaluable to the Legislature upon the staffers' return.

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. 3362, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5; Ayes with Reservations (Elefante). Noes, none. Excused, none.

Ways and Means: Ayes, 13. Noes, none. Excused, none.

SCRep. 2887 (Joint) Judiciary and Ways and Means on S.B. No. 3171

The purpose and intent of this measure is to:

- (1) Mandate the Office of the Lieutenant Governor or the appropriate county clerk's office to ensure access to paper or electronic copies of all meeting notices; and
- (2) Repeal the requirement to post notices in a central location in a public building.

Your Committees received testimony in support of this measure from the Office of the Lieutenant Governor, Department of Land and Natural Resources, one member of the Maui County Council, and one individual.

Your Committees received comments on this measure from the Office of Information Practices.

Your Committees find that to meet statutory requirements, the Office of the Lieutenant Governor posts physical copies of meeting notices daily in the chamber of the State Capitol for the public to view. However, posting physical copies no longer serves the function it once did as most people can access notices online in the comfort of their home or office. Furthermore, it is impractical for residents from neighbor islands to fly to Oahu to view the notices. This measure increases efficiency, reduces waste, and ensures public access to notices and agendas.

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. 3171 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. 2888 (Joint) Commerce and Consumer Protection and Judiciary on S.B. No. 3122

The purpose and intent of this measure is to authorize the Director of Health to issue public health standing orders for patients to self-refer to certain health care screening services.

Your Committees received testimony in support of this measure from the Department of Health, AlohaCare, and four individuals.

Your Committees received comments on this measure from Hawai'i Pacific Health.

Your Committees find that public health standing orders, which are written protocols describing a specific medical practice that will be delegated to non-physicians without a patient-specific order signed by a physician, can help reduce provider administrative burdens while increasing access to evidence-based clinical preventive services. Public health standing orders not only help more individuals receive secondary prevention services, such as mammography screenings for breast cancer, but are already used in urgent or emergency settings upon the occurrence of a population-wide health event, such as the coronavirus disease 2019 pandemic. Therefore, this measure will help to increase the receipt of preventative care, advance population health, and increase the healthful quality of life for residents in the State.

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. 3122, 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, none. Excused, 1 (McKelvey).

Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 2889 Higher Education on Gov. Msg. No. 532

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII

G.M. No. 532 LAUREN AKITAKE, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Lauren Akitake for service on the Board of Regents of the University of Hawaii.

Your Committee received testimony in support of the nomination for the appointment of Lauren Akitake from the University of Hawaii Professional Assembly; Law Offices of Marvin S.C. Dang; and one hundred seven individuals.

Upon review of the testimony, your Committee finds that Ms. Akitake's experience, knowledge, and desire to serve as a regent for the Board of Regents of the University of Hawaii qualify her for appointment as a regent representing Maui County pursuant to section 26-11, Hawaii Revised Statutes. Your Committee finds that Ms. Akitake presently serves as a private practice attorney and per diem district court judge for the Second Circuit. Your Committee notes that, according to the personal statement submitted by Ms. Akitake, the Judiciary confirmed she can serve as a Regent while serving as a per diem District Court Judge. As a private practice attorney, Ms. Akitake has over fifteen years of experience in diverse areas of law, including estate planning, civil litigation, business law, and conservatorship and guardianship proceedings. Ms. Akitake is also a recognized member of the Hawaii legal community, serving as a 2020 Hawaii State Bar Association Leadership Institute Fellow, 2016 Hawaii Emerging Legal Practitioners Access to Justice Fellow, and a former Maui County Bar Association board member. Additionally, Ms. Akitake is an active member of her community, serving as a board member of Women Helping Women and as co-President nominee of the American Association of University Women of Maui. Ms. Akitake holds a Juris Doctorate from the University of Kansas School of Law and a Master of Science in Applied Social Research from the University of Stirling, Scotland. Your Committee notes that Ms. Akitake understands the roles and responsibilities of board members, and her extensive experience in the practice of law and prior teaching experience at the University of Hawaii Maui College will be assets to the Board of Regents of the University of Hawaii.

Your Committee further finds that Ms. Akitake has served as an interim regent since July 2023, where she has served as a proactive leader driving change within the Board of Regents. Ms. Akitake's leadership has brought a fresh perspective to the Board of Regents, where she implemented a collaborative approach to addressing pressing university issues through transformation of the University's audit process. Presently, Ms. Akitake serves as chairperson of the Independent Audit Committee, which is responsible for exercising oversight of the University's external auditors and Office of Internal Audit. As chairperson, Ms. Akitake has been instrumental in raising concerns regarding the condition of student housing at the University of Hawaii at Manoa and the University of Hawaii at Hilo. Ms. Akitake commenced a two-track audit utilizing historical data and forward-looking opportunities for regents policy changes regarding student housing to provide improvements to student life while ensuring accountability of university administration. Further, Ms. Akitake's leadership has also incited change regarding outstanding audits of the Warrior Recreation Center at the University of Hawaii at Manoa and Waikiki Aquarium to allow the Board of Regents an opportunity to explore other matters within the University of Hawaii System. Aligned with her collaborative leadership, Ms. Akitake has also encouraged other regents to offer audit topics that may improve the university community. Through Ms. Akitake's leadership, she aims to change the perception of audits and audit topics and shift the negative connotation of corrective actions to promote opportunities for positive change.

According to Ms. Akitake at the public hearing on her nomination, she noted that the Board of Regents should strengthen accountability of the University of Hawaii President and administration. Noting that the University of Hawaii System has a responsibility to the State as the only system of public higher education, Ms. Akitake commented that the strength of the University of Hawaii System is reliant on the effective leadership of the University of Hawaii President and administration. Additionally, Ms. Akitake pledged to be an advocate and ardent supporter of change in regard to increased reports of sexual violence on University of Hawaii campuses. Ms. Akitake's interest in student housing is grounded in her legal background, and she is committed to prioritizing student health and safety on campus. Your Committee is confident that Ms. Akitake will be a valuable voice for the Board of Regents and an asset to the University of Hawaii community. Your Committee therefore recommends Lauren Akitake be appointed to the Board of Regents of the University of Hawaii based on her leadership, accountability, and proactivity to serve the University of Hawaii community.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2890 (Majority) Higher Education on Gov. Msg. No. 596

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII

G.M. No. 596 NEIL ABERCROMBIE, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Neil Abercrombie for service on the Board of Regents of the University of Hawaii.

Your Committee received testimony in support of the nomination for the appointment of Neil Abercrombie from eight individuals.

Your Committee received testimony in opposition to the nomination for the appointment of Neil Abercrombie from Academic Labor United and twenty-three individuals.

Upon review of the testimony, your Committee finds that Dr. Abercrombie's experience, knowledge, and desire to serve as a regent qualify him for appointment to the Board of Regents of the University of Hawaii as a regent representing Honolulu County pursuant to section 26-11, Hawaii Revised Statutes. Your Committee finds that Dr. Abercrombie is the owner-operator of Pacific Strategies, LLC, where he provides counseling and advice services for business development. Dr. Abercrombie served as the seventh Governor of the State from 2010-2014. As Governor of Hawaii, Dr. Abercrombie facilitated the establishment of major projects for the University of Hawaii System to expand access to education, including the opening of the University of Hawaii – West Oahu campus; began construction of the Palamanui Campus in Kona, Hawaii County; and incorporated the University of Hawaii President and Superintendent of Education into cabinet-level meetings for cross-department coordination. Dr. Abercrombie has dedicated nearly forty years of service to the State in a variety of public service roles, including as Representative for the First District to the United States House of Representatives, member of the Honolulu City Council, Representative of District 13 in the Hawaii State House of

Representatives, and Senator of District 6 in the Hawaii State Senate. Before his career in public service, Dr. Abercrombie earned a Doctor of Philosophy in American Studies from the University of Hawaii at Manoa. Your Committee further finds that Dr. Abercrombie's extensive experience in public service and prior experience in academia will be assets to the Board of Regents of the University of Hawaii.

Your Committee further finds that Dr. Abercrombie has served as an interim regent since July 2023. According to Dr. Abercrombie's statements at the public hearing on his nomination, his long relationship with the University of Hawaii began as a graduate student in the Sociology Department at the University of Hawaii at Manoa. In his short tenure as interim regent, Dr. Abercrombie has proven to be an emerging voice of accountability for university administration, especially with regards to the administration's budget. As the policymaking body of the University of Hawaii, Dr. Abercrombie asserted that the role of regents should focus on setting overall goals for the system that incorporates feedback from administrators to effectively operate the university community while providing avenues for growth, innovation, and revenue generation.

Your Committee additionally notes that Dr. Abercrombie expressed concerns regarding a disconnect between the University of Hawaii administration, the Legislature, the Governor, and the Board of Regents. Dr. Abercrombie affirmed his goal as regent to re-establish and strengthen the cooperative relationship between the Legislature and Governor with the University of Hawaii and the Board of Regents. Additionally, Dr. Abercrombie pledged to engage with university issues as an active, involved regent rather than a receptor of decisions made by the administration. While Dr. Abercrombie has served as an informal liaison between the Board of Regents and the Legislature, he noted that additional engagement by Board of Regents leadership is imperative to ensuring effective policymaking and initiation of key projects and goals.

Your Committee notes testimony received in opposition to Dr. Abercrombie's nomination by certain students and community members of the University of Hawaii. Your Committee raised concerns that Dr. Abercrombie's decorum at recent meetings of the Board of Regents is troubling. According to the students' testimony, Dr. Abercrombie was not receptive to concerns regarding student representation at Board of Regents meetings. Dr. Abercrombie noted that his response was intense and regrets the reception of his response, as his perspective was based on loyalty to and responsibility of his role. Despite the concerns raised in testimony and in light of Dr. Abercrombie's statements in response, your Committee therefore recommends that Neil Abercrombie be appointed to the Board of Regents of the University of Hawaii based on his extensive public service, experience in higher education, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.

Ayes, 3; Ayes with Reservations (Fukunaga). Noes, 2 (Kidani, Fevella). Excused, none.

SCRep. 2891 Higher Education on Gov. Msg. No. 597

Recommending that the Senate not advise and consent to the nomination of the following:

BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII

G.M. No. 597 ALAPAKI NAHALE-A, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Alapaki Nahale-a for service on the Board of Regents of the University of Hawaii.

Your Committee received testimony in support of the nomination for the reappointment of Alapaki Nahale-a from the Office of Hawaiian Affairs, University of Hawaii Professional Assembly, Office of the Mayor of the County of Hawaii, The Leader Project, and sixteen individuals.

Your Committee received testimony in opposition to the nomination for the reappointment of Alapaki Nahale-a from Academic Labor United and twenty individuals.

Your Committee received comments on the nomination for the reappointment of Alapaki Nahale-a from two individuals.

Your Committee acknowledges the testimony received in support of Mr. Nahale-a to continue to serve as a Regent on the Board of Regents of the University of Hawaii. Specifically, your Committee notes Mr. Nahale-a's extensive experience in working in community education and engagement, land management, and as an advocate for Native Hawaiian issues.

ROLE OF THE BOARD OF REGENTS

Your Committee finds that a position on the Board of Regents of the University of Hawaii is an important and high-profile office. Regents make critical decisions that guide the direction of the University of Hawaii System and are sometimes provided opportunities to comment publicly regarding decisions made by the Board. Pursuant to section 304A-104, Hawaii Revised Statutes, the Senate is required to consider the combination of abilities, breadth of experiences, and characteristics of the Board of Regents, as a whole, that will best serve the diverse interests and needs of the students of the university system and assist the university system in achieving its strategic goals and performance indicators.

Your Committee notes that Mr. Nahale-a has been serving on the Board of Regents of the University of Hawaii as Regent of Hawaii County since 2019, and is currently serving as Chairperson of the Board of Regents, a position he has held since July 2023. However, for the reasons discussed below, your Committee finds that Mr. Nahale-a is not the appropriate person to continue to serve on the Board of Regents going forward.

TRANSPARENCY AND LACK OF ACCOUNTABILITY

Your Committee is troubled by reports from the Board of Regents that the formulation of monthly meetings of the Board involve input from University of Hawaii administrators. In a public hearing on his nomination, Mr. Nahale-a confirmed that there is pushback by administrators on certain potential agenda items, creating instances where pressing university matters may not be addressed in a public forum or acknowledged in a way to ensure prompt action by the Board of Regents. While the Board of Regents has an exemption to the Sunshine Law that authorizes Board leadership to discuss agenda items for future meetings, which includes the presence of general counsel, there is no official documentation of conversations held during agenda setting meetings between Regents or with administrators present. Mr. Nahale-a noted that the Board Secretary is present to take notes, but the documentation of information is informal in nature. Your Committee believes that the creation of monthly agendas should be a collaborative process that considers topics from individual Regents and the Board as a whole, rather than university administrators.

Your Committee also notes that the lack of transparency with the University of Hawaii administration poses significant issues that have not led to any consequences for administrators. Despite five years of service as a Regent, Mr. Nahale-a's actions as a member have not reflected a high level of engagement that would challenge the complacency of university operations. While Mr. Nahale-a noted that the culture of the Board of Regents is shifting to address issues such as student housing, university athletics, graduate student unionization, and workforce development, your Committee is not adequately assured that Mr. Nahale-a would be an initiator of change.

While Mr. Nahale-a noted that he supports a University of Hawaii President who is solely focused on system-level issues and priorities, your Committee expressed concerns regarding the inaction of the Board of Regents on holding the University of Hawaii President accountable for the various responsibilities assigned to the role. Presently, the University of Hawaii President also serves as Chancellor of the University of Hawaii at Manoa, Chief Procurement Officer, and as the Principal Investigator for four major Department of Defense contracts through the Applied Research Laboratory. Further, concerns were expressed that the University of Hawaii System focuses efforts on development of the University of Hawaii at Manoa, rather than growth at other campuses, including neighbor island institutions. Despite the amount of work done to fulfill the requirements of various roles, the Board of Regents has not fully addressed diversification of University of Hawaii System programs.

Accordingly, your Committee cannot recommend with full confidence a nominee who neither takes initiative to hold administrators accountable nor promotes transparency within the governance of the university system. Because the only measurements of accountability for Regents are meeting recordings, minutes, and specific actions taken, it is imperative that nominees for the Board of Regents are transparent with their deliberations to provide clear insight to the public of the Board of Regent's operations.

REACTIVE LEADERSHIP

Your Committee finds that Mr. Nahale-a has not displayed traits and attributes of a proactive leader who is willing to assert policy goals that will shape the overall direction of the University of Hawaii. While Mr. Nahale-a has contributed to the beginning of a cultural shift within the Board of Regents since assuming the position of Chairperson in July 2023, your Committee expressed concerns regarding Mr. Nahale-a's previous four years of service as a Regent. Mr. Nahale-a himself admitted that he was "disappointed" at his own inaction regarding the condition of student housing at the University of Hawaii at Manoa and University of Hawaii at Hilo despite having previous knowledge of the poor condition of the housing. Additionally, prior inaction on high profile incidents involving high-level administrators raises additional concerns that the Board of Regents is reactive rather than proactive in addressing situations.

Your Committee also notes that Mr. Nahale-a's leadership style is too deferential to the University of Hawaii President and administration. Mr. Nahale-a confirmed that the Board of Regents had a limited role in the formulation of the University of Hawaii's 2024 supplemental budget for the 2023-2025 fiscal biennium. The Regents received the draft budget from university administration, but Mr. Nahale-a noted that the Board did not have sufficient time to review all items included. Mr. Nahale-a also noted that the budget presented to the Board of Regents was separated by campus priorities rather than thematic priorities for the overall university system, creating difficulties in the ability to scrutinize the budget. Your Committee expressed concerns that Mr. Nahale-a voted to approve the budget despite issues with the review process. Instead, Mr. Nahale-a relied on historical budget data from previous years to examine consistency with spending and other university projects. Without parameters to ensure accountability over the budget and revenue generation, it is ultimately the students and the people of Hawaii who suffer the consequences of inaction.

The Chairperson of the Board of Regents should have a proactive, engaging role and voice for the Board in external matters such as appearances at legislative informational briefings, university events, and community engagements that require the presence of the Regents. However, since assuming the role of Chairperson, Mr. Nahale-a has been notably absent from legislative informational briefings that would have provided insight into the perspective and position of the Board of Regents. Mr. Nahale-a has also been absent from legislative hearings regarding legislation pertaining to the University of Hawaii and its budget. Additionally, while Mr. Nahale-a did attend a tour orchestrated by another Regent, Mr. Nahale-a, as chairperson, has not initiated any site visits of his own volition to tour university campuses or student housing facilities to proactively understand persistent issues faced by University of Hawaii students.

As the policymaking body of the University of Hawaii, accountability of the University of Hawaii President and administration is imperative to promote transparency in the formulation of university policy. Being the only system of public higher education in the State, the University of Hawaii should be accountable to the people of Hawaii through oversight by the Board of Regents. However, without initiative and proactive leadership from the Board of Regents to address the concerns of students, faculty, staff, and the greater university community, the questionable culture and operations of the university will remain unchanged.

POTENTIAL OR PERCEIVED CONFLICT OF INTEREST

Your Committee finds that Mr. Nahale-a was previously employed as the Chief Executive Officer at 'Iole. However, the University of Hawaii intended to appoint board members during Mr. Nahale-a's tenure, as the President of Arizona State University also serves as a member. Additionally, two other high-level University of Hawaii administrators also serve as members of the Board at 'Iole. Mr. Nahale-a confirmed that he sought ethics guidance from the State Ethics Commission, but he did not obtain a formal opinion. The

State Ethics Commission discouraged the University of Hawaii President from serving on the board, as Mr. Nahale-a would have served as a direct supervisor. Further, guidance provided also suggested a separate point of contact between projects at 'Iole and the University of Hawaii. However, Mr. Nahale-a did not publicly disclose the conflict of interest nor did he seek an official ruling from the State Ethics Commission, as there was uncertainty regarding continuity of his role as a Regent. Mr. Nahale-a subsequently resigned from the position of Chief Executive Officer of 'Iole but did so only after he was reappointed to the Board of Regents for a second term rather than immediately upon the realization that a conflict could arise. Your Committee therefore expressed concerns regarding the questionable timing of Mr. Nahale-a's resignation given the gravity of the potential or perceived conflict of interest.

As a Regent of the University of Hawaii, Mr. Nahale-a is involved in the evaluation of the University of Hawaii President. Regardless of whether actual conflicts of interest exist, the mere perception of a conflict of interest may generate questions about the impartiality of decisions made by the Board of Regents concerning the President or any matter concerning the university. Your Committee is therefore concerned as to what extent Mr. Nahale-a can effectively perform his responsibilities and duties as a Regent and Chairperson of the Board.

A Regent's duty to serve as an ambassador to the community and consider the community's interests rely, in part, on active engagement with the public and with relevant university stakeholders, rather than reacting to issues after the fact. Your Committee therefore finds that Mr. Nahale-a has not demonstrated a sufficient level of engagement within his role as a Regent and as Chairperson of the Board to lead the formulation of university policy and hold university administration accountable.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, recommends that the Senate not advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fukunaga). Noes, none. Excused, none.

SCRep. 2892 Judiciary on S.B. No. 2758

The purpose and intent of this measure is to support survivors of sex trafficking by authorizing civil claims to be made against a business, owner, or operator of a transient accommodation, or other commercial entity that profits from sexual exploitation.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council, Imua Alliance, St. Michael the Archangel Church, and thirty-two individuals.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that sex trafficking is a form of modern-day slavery. Additionally, Imua Alliance, a victim service provider for survivors of sex trafficking and sexual violence, estimates that one hundred fifty establishments participate in the commercial sex trade in the State, increasing the high risk for sex trafficking. This measure will empower survivors of sexual exploitation to seek civil remedies from the owner and operators of establishments in which they have been harmed.

Your Committee has amended this measure by:

- (1) Clarifying that a cause of action for coercion into sexual exploitation or sex trafficking exists against a person, business, an owner of a business, or an operator of a business;
- (2) Clarifying that, regarding a cause of action for coercion into sexual exploitation or sex trafficking, "business" includes a transient accommodation or other commercial activity;
- (3) Clarifying that the act of disregarding notification or other indications that an individual is being coerced into sexual exploitation or sex trafficking on premises controlled by a person, business, an owner of a business, or an operator of a business may serve as evidence in support of a claim for coercion into sexual exploitation or sex trafficking;
- (4) Deleting redundant language that would have explicitly included punitive damages as a form of damages an individual may recover for a claim for coercion into sexual exploitation or sex trafficking; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2758, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2758, 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. 2893 Judiciary on S.B. No. 2017

The purpose and intent of this measure is to require defendants convicted of causing the death of a parent or legal guardian of a minor child by the operation of a vehicle in a negligent manner while under the influence of drugs or alcohol to make restitution in the form of financial support to each surviving child of the victim.

Your Committee received testimony in support of this measure from the Department of Transportation, Mothers Against Drunk Driving Hawaii, and three individuals.

Your Committee received comments on this measure from the Department of Corrections and Rehabilitation.

Your Committee finds that the trauma a minor experiences due to suddenly losing the stability and support of a parent or legal guardian is only compounded by the financial hardship that usually accompanies this type of sudden loss. This measure will deter drivers from driving under the influence and provide necessary funding to minors to access professional counseling to help them work

through their trauma constructively and obtain guidance and support needed to overcome the tragedy of suddenly losing a parent or legal guardian.

Your Committee has amended this measure by:

- (1) Inserting language requiring defendants convicted of causing the death of a parent or legal guardian of an adult dependent child with disabilities by the operation of a vehicle in a negligent manner while under the influence of drugs or alcohol to make restitution in the form of financial support to each surviving adult dependent child with disabilities of the victim;
- (2) Deleting language that would have required the court to consider the standard of living to which the child is accustomed as a relevant factor in determining an amount that is reasonable and necessary for the financial support of the victim's child; 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. 2017, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2017, 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. 2894 Judiciary on S.B. No. 2757

The purpose and intent of this measure is to align the State's sex trafficking laws with federal law by making the commercial sexual exploitation of a minor a form of sex trafficking.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Department of the Prosecuting Attorney of the County of Maui, Stonewall Caucus of the Democratic Party of Hawai'i, Hawai'i Youth Services Network, Imua Alliance, St. Michael the Archangel Church, Hawaii Workers Center, and thirty-nine individuals.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that existing state law does not identify soliciting a minor for prostitution as a form of sex trafficking. However, under title 18 United States Code section 1591, federal law recognizes offering to engage in sexual activity with a minor for anything of value as a form of sex trafficking. Laws that target the solicitation of minors for sex trafficking have proven to be effective in reducing the demand for sexual exploitation that provides the financial incentive for the commercial sex trade, without relying on criminal systems that often misidentify, retraumatize, penalize, stigmatize, or incarcerate sex trafficking victims. This measure sends a clear message that the State is committed to protecting the rights and well-being of all individuals, especially the State's most vulnerable populations.

Your Committee has amended this measure by:

- (1) Clarifying that all of the newly-added criteria for sex trafficking require the offender to be older than eighteen years of age;
- (2) Clarifying that a person is strictly liable with respect to the attendant circumstance that the victim was a minor when committing the offense of intentionally, knowingly, or recklessly providing anything of value to a minor or third person as compensation for having engaged in sexual conduct with a minor;
- (3) Deleting language that would have:
 - (A) Included the newly-added criteria for sex trafficking as a condition for being a habitual commercial sexual exploitation offender; and
 - (B) Made habitual commercial sexual exploitation a class A felony if the instant offense was one of the newly-added criteria for sex trafficking; 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. 2757, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2757, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 2895 Judiciary on S.B. No. 2685

The purpose and intent of this measure is to establish judicial procedures to prevent and remedy abusive litigation.

Your Committee received testimony in support of this measure from the Hawai'i State Coalition Against Domestic Violence, Domestic Violence Action Center, Hawaii Women's Coalition, Democratic Party of Hawai'i Women's Caucus; and eight individuals.

Your Committee received comments on this measure from the Judiciary.

Your Committee finds that abusive litigation in the intimate partner violence context is a unique issue that needs to be addressed. Individuals who abuse their intimate partners may also take advantage of court proceedings to control, harass, intimidate, coerce, and impoverish the abused partner, even after a relationship has ended. Even if a lawsuit is meritless, forcing a survivor to spend time, money, and emotional resources responding to the action provides a means for the abuser to assert power and control over the survivor. Your Committee notes that two states, Tennessee and Washington, have already enacted laws to prevent and remedy abusive litigation.

This measure will provide a critical new protective tool for intimate partner violence survivor safety, empowerment, financial independence, economic justice, and peace.

Your Committee has amended this measure by:

- (1) Deleting language that would have excluded persons who have a child in common that was conceived through sexual assault from the definition of “intimate partners”;
- (2) Deleting language that would have excluded persons who have or have had a dating relationship from the definition of “intimate partners” if one or more person is less than thirteen years of age;
- (3) Inserting language defining “dating relationship” the same as it is defined in section 586-1, Hawaii Revised Statutes;
- (4) Inserting language providing that “intimate” in regards to the term “intimate partner” has no romantic connotations;
- (5) Deleting language that would have defined “litigation” as it is defined in section 634J-1, Hawaii Revised Statutes;
- (6) Defining the term “litigation” to mean any civil action or proceeding, commenced, maintained, or pending in any state or federal court of record;
- (7) Inserting language clarifying that abusive litigation occurs where the opposing parties have a current or former intimate partner relationship or have filed on behalf of a minor or incapacitated person who has a current or former intimate partner relationship;
- (8) Inserting language clarifying that abusive litigation occurs where the party who is filing, initiating, advancing, or continuing the litigation has been found by a court to have committed intimate partner violence against the other party including by a temporary restraining order or order for protection that the court found was necessary due to domestic violence;
- (9) Inserting language clarifying that abusive litigation occurs where the parties had agreed to an order for protection in a case of domestic violence pursuant to:
 - (A) A criminal conviction or a plea of nolo contendere, in the State or any other jurisdiction for the crimes identified in sections 709-906, 711-1106, or 711-1106.5, Hawaii Revised Statutes; or a filing for any offense related to a domestic violence offense;
 - (B) A pending criminal charge, in the State or any other jurisdiction, of domestic violence, as a result of which a court has imposed criminal conditions of release pertaining to the safety of the victim;
 - (C) A temporary restraining order issued pursuant to section 586-4, Hawaii Revised Statutes;
 - (D) An order for protection issued pursuant to section 586-3, Hawaii Revised Statutes;
 - (E) A protective order issued pursuant to section 586-5.5, Hawaii Revised Statutes;
 - (F) A no contact order pursuant to section 709-906(4), Hawaii Revised Statutes;
 - (G) A foreign protective order credited pursuant to section 586-21, Hawaii Revised Statutes;
 - (H) An order or decree issued pursuant to section 571-46 or section 580-74, Hawaii Revised Statutes; or
 - (I) A signed affidavit from a domestic violence or sexual assault agency that assists victims of domestic violence and sexual assault;
- (10) Deleting language that would have specified that litigation is harassing, intimidating, or maintaining contact with the other party when the litigation is filed with the intent or is primarily designed to exhaust, deplete, impair, or adversely impact the other party’s financial resources unless punitive damages were requested and appropriate or a change in the circumstances of the parties provides a good faith basis to seek a change to a financial award, support, or distribution of resources;
- (11) Inserting language clarifying that litigation is harassing, intimidating, or maintaining contact with the other party when the litigation is filed with the intent or is primarily designed to, among other actions, prevent or interfere with the ability of the other party to raise a child or children for whom the other party has sole or joint legal custody;
- (12) Deleting language that would have specified that litigation is harassing, intimidating, or maintaining contact with the other party when the litigation is filed with the intent or primarily designed to prevent or interfere with the ability of the other party to raise a child or children for whom the other party has legal custody in the manner the other party deems appropriate unless the party filing the litigation has a lawful right to interfere and a good faith basis for doing so;
- (13) Deleting language that would have specified that litigation is harassing, intimidating, or maintaining contact with the other party when the litigation is filed with the intent or primarily designed to force, coerce, or attempt to force or coerce the other party to alter, engage in, or refrain from engaging in lawful conduct which the other party has the right to engage in;
- (14) Deleting language that would have specified that litigation is harassing, intimidating, or maintaining contact with the other party when the litigation is filed with the intent or primarily designed to prevent, interfere, or adversely impact the ability of the other party to pursue or maintain a livelihood or lifestyle at the same or better standard as the other party enjoyed prior to the filing of the action, primarily for the purpose of harassing or maliciously injuring the civil action defendant;
- (15) Inserting language clarifying that litigation that is filed with the intent or primarily designed to impair, diminish, or tarnish the other party’s reputation in the community or alienate the other party’s friends colleagues, attorneys, or professional associates by, including but not limited to, subjecting parties without knowledge of or not reasonably relevant to the litigation to

unreasonably or unnecessarily complex, lengthy, or intrusive interrogatories or depositions is litigation that is harassing, intimidating, or maintaining contact with the other party;

- (16) Deleting language that would have allowed evidence of the same or substantially similar issues between the same or substantially similar parties that were litigated within the past five years in the same court or any other court of competent jurisdiction to create a rebuttable presumption that litigation is being initiated, advanced, or continued primarily for the purpose of harassing, intimidating, or maintaining contact with the other party;
- (17) Inserting language to allow evidence of proffered legal claims not based on existing law or by a reasonable argument for the extension, modification, or reversal of existing law, or the establishment of new law to create a rebuttable presumption that litigation is being initiated, advanced, or continued primarily for the purpose of harassing, intimidating, or maintaining contact with the other party;
- (18) Deleting language that would have allowed evidence of the same or substantially similar issues between the same or substantially similar parties that have been raised, pled, or alleged in the past five years and were dismissed on the merits or with prejudice to create a rebuttable presumption that litigation is being initiated, advanced, or continued primarily for the purpose of harassing, intimidating, or maintaining contact with the other party;
- (19) Inserting language to allow evidence of allegations and other factual contentions made without adequate evidentiary support or that are unlikely to have evidentiary support after a reasonable opportunity for further investigation to create a rebuttable presumption that litigation is being initiated, advanced, or continued primarily for the purpose of harassing, intimidating, or maintaining contact with the other party;
- (20) Inserting language to allow evidence of an issue or issues that are the basis of the litigation, that have previously been filed in one or more other courts or jurisdictions and have prompted actions which have been litigated and disposed of unfavorably to the party filing, initiating, advancing, or continuing the litigation, to create a rebuttable presumption that the litigation is being initiated, advanced, or continued primarily for the purpose of harassing, intimidating, or maintaining contact with the other party;
- (21) Clarifying that evidence that a court of record in another judicial circuit or jurisdiction has determined the party allegedly engaging in abusive litigation has previously engaged in abusive litigation or similar conduct and has been subject to a court order imposing pre-filing restrictions creates a rebuttable presumption that litigation is being initiated, advanced, or continued primarily for the purpose of harassing, intimidating, or maintaining contact with the other party;
- (22) Deleting language that would have required an order restricting abusive litigation to impose pre-filing restrictions upon the party found to have engaged in abusive litigation for a period of not less than forty-eight months;
- (23) Inserting language allowing the time period of pre-filing restrictions imposed by an order restricting abusive litigation to be extended beyond the maximum if the party found to have engaged in abusive litigation, since the effective date of the order, has engaged in further abusive litigation or caused further abuse including coercive control, domestic abuse, extreme psychological abuse, and malicious property damage;
- (24) Specifying that a person subject to an order restricting abusive litigation who wishes to initiate a new case or file a motion in an existing case during the time the person is under filing restrictions shall first file an application or motion before the court that imposed the order;
- (25) Inserting language clarifying that, based on reviewing the records as well as any evidence submitted as sworn statements from the person who is subject to the order restricting abusive litigation, if the court determines the proposed litigation is abusive litigation, then it is not necessary for the person protected by the order to appear or participate in any way;
- (26) Requiring the courts to create new forms for the motion for order restricting abusive litigation and develop relevant instructions by January 1, 2025, instead of September 1, 2024; and
- (27) Making 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. 2685, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2685, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2896 Transportation and Culture and the Arts on S.B. No. 2657

The purpose and intent of this measure is to establish Makahiki Commemoration Day.

Your Committee received testimony in support of this measure from ten individuals.

Your Committee finds that Makahiki, a festival dedicated to the god Lono, is a celebration beginning when the star cluster Makali'i rises over Hawaii. Your Committee further finds that the festival is a Hawaiian celebration of the new year, emphasizing harvest, bounty, and peace. This measure will recognize the importance of the Makahiki traditions by commemorating it each year.

Your Committee notes that the Makahiki season spans four consecutive months. Due to Makahiki's dependence upon the star cluster Makali'i's orbit, the beginning of the festival can fall between late October to early November. For this reason, your Committee respectfully requests any subsequent committee to which this measure is referred to deliberate on an appropriate day for Makahiki Commemoration Day to be celebrated.

Your Committee has amended this measure by inserting an unspecified date for Makahiki Commemoration Day.

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. 2657, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2657, 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 (Inouye, Awa).

SCRep. 2897 Transportation and Culture and the Arts on S.B. No. 2841

The purpose and intent of this measure is to designate May 15 of each year as Water Safety Day, to recognize and spread awareness of the drowning pandemic and educate Hawaii's youth in becoming safer in and around the water.

Your Committee received testimony in support of this measure from Hawai'i Children's Action Network Speaks!, Hawaii Water Safety Coalition, Outrigger Duke Kahanamoku Foundation, Pool and Hot Tub Alliance, and two individuals.

Your Committee finds that the Department of Health recently reported that drowning was the leading cause of death for children one to seventeen years of age in Hawaii between 2018 and 2022. Your Committee further finds that International Water Safety Day is a worldwide effort to spread awareness of the drowning pandemic and to educate youth in becoming safer in and around the water. This measure will increase water safety awareness to help prevent and reduce the number of fatal and non-fatal child drowning incidents in 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 S.B. No. 2841 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 (Inouye, Awa).

SCRep. 2898 (Joint) Transportation and Culture and the Arts and Agriculture and Environment on S.B. No. 2911

The purpose and intent of this measure is to designate certain snail species as official state snails.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Coordinating Group on Alien Pest Species, Le Jardin Academy Kāhuli Hui, and thirty-three individuals.

Your Committees find that land snails are among the most threatened of all animal groups in the world, with more recorded extinctions than birds and mammals combined. Your Committees further find that in 2023, the Bishop Museum organized a statewide voting campaign where students and community members chose which snail species to recommend to the Legislature to be designated as the official state snail for each island. This measure will increase awareness of the imperiled status and cultural and ecological relevance of Hawaiian land snails, preserve their cultural and ecological significance, and encourage continued conservation of Native Hawaiian invertebrates by designating official state snails.

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. 2911 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.
Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).
Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Awa).

SCRep. 2899 Transportation and Culture and the Arts on S.B. No. 3312

The purpose and intent of this measure is to adopt, establish, and designate the shaka as the official gesture of the State.

Your Committee received testimony in support of this measure from the Hawaii Bulletin; Leveraged Leadership, LLC; Pono Connections LLC; ID8 Studios; and twenty-nine individuals.

Your Committee finds that while multiple Hawaii ethnic cultures and resident groups have contributed varying layers of meaning to the shaka hand gesture, there is a shared agreement in the shaka's positive sentiments and usage. Your Committee further finds that the shaka is a key brand symbol for the State, offering influential power to build the State's economy, global brand, and resident pride. It is therefore appropriate that the shaka be honored as the official gesture of the State to secure recognition of Hawaii as the shaka's place of origin, to preserve the meaning of the shaka as originated in Hawaii, to preserve Hawaii's brand association with the gesture, and to share the aloha spirit around the world.

Your Committee notes that testimony was received by the descendants of Hamana Kalili, the potential originator of the shaka sign. Should subsequent committees choose to deliberate on this measure, your Committee respectfully requests that they consider incorporating how to properly phrase and address the recognition of the potential originator into the measure's preamble.

Your Committee has amended this measure by:

- (1) Adding language to authorize the State Foundation on Culture and the Arts to develop a public work of art related to the shaka and its history to be displayed in a prominent location for residents and visitors to Hawaii; and
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Transportation 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. 3312, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3312, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2900 (Joint) Transportation and Culture and the Arts and Energy, Economic Development, and Tourism on S.B. No. 370

The purpose and intent of this measure is to require owners of multiple parking facilities within any county of the State who aggregate the required parking spaces for electric vehicles to aggregate the spaces within that same county.

Your Committees received testimony in support of this measure from the Hawai'i State Energy Office, Hawaiian Electric, Hawaii Electric Vehicle Association, 350Hawaii.org, and Ulupono Initiative.

Your Committees received testimony in opposition to this measure from the Retail Merchants of Hawaii.

Your Committees received comments on this measure from the Disability and Communication Access Board.

Your Committees find that as the number of electric vehicles in Hawaii rises, the buildout of adequate electric vehicle infrastructure, including publicly accessible charging stations, is critical. Your Committees further find that it is necessary to clarify that the aggregation of electric vehicle charging systems by an owner of multiple parking facilities should remain within the same county to prevent required electric vehicle charging systems from being aggregated from one county to another, ensuring a more even adoption of electric vehicle infrastructure for each county. This measure will ensure the equitable installation of electric vehicle charging stations to neighbor islands that lack publicly available electric vehicle infrastructure.

Your Committees have amended this measure by:

- (1) Removing language that would have required owners of multiple parking facilities within any county of the State who aggregate the required spaces for electric vehicles to aggregate the spaces within that same county;
- (2) Repealing language that allows owners of multiple parking facilities to designate and electrify fewer parking spaces than required in one or more of their own properties if the requirements on all of their owned properties was met;
- (3) Inserting language to authorize the counties to adopt ordinances regulating electric vehicle charging systems, including maintenance requirements, for places of public accommodation with few than one hundred parking spaces available for use by the general public;
- (4) Inserting language to task the Clean Ground Transportation Working Group with developing plans for electric vehicle charging systems on each neighbor island and a permitting process for electric vehicle charging systems, to be implemented by the appropriate permitting entities;
- (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 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. 370, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 370, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.
Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).
Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Kim).

SCRep. 2901 Ways and Means on S.B. No. 2279

The purpose and intent of this measure is to amend state income tax law with regard to graduate assistants.

More specifically, this measure:

- (1) Requires any qualified tuition reduction for graduate assistants enrolled in graduate level coursework to be considered taxable income; and
- (2) Restricts the qualified tuition reduction for graduate assistants enrolled in graduate level coursework to be equal to an amount not more than a certain percentage of the resident tuition fee.

Your Committee received written comments on this measure from the Department of the Attorney General, Department of Taxation, University of Hawaii, and Tax Foundation of Hawaii.

Your Committee finds that, to offset the cost of graduate education, universities may provide a tuition waiver of a certain number of credit hours in exchange for work as a graduate assistant, teaching assistant, or research assistant. Your Committee also finds that, under existing law, this added benefit may not be considered taxable income for all graduate assistants. Your Committee further finds that, as a quantifiable benefit, tuition waivers for graduate assistants should be considered taxable income for the purpose of state income taxation.

Your Committee has amended this measure by:

- (1) Amending section 235-2.4, Hawaii Revised Statutes, to specifically state that section 117(d) of the federal Internal Revenue Code shall not be operative with respect to qualified tuition reductions provided to graduate assistants; and
- (2) Making conforming amendments to the definition of "qualified tuition reduction".

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2279, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2279, S.D. 2, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2902 Ways and Means on S.B. No. 2280

The purpose and intent of this measure is to improve state facilities.

Specifically, this measure authorizes the issuance of general obligation bonds and appropriates funds for various capital improvement projects in the State.

Your Committee received testimony in support of this measure from the Department of Health and Hawaii Health Systems Corporation.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the appropriations authorized by this measure will help to facilitate urgently needed upgrades, repairs, and replacements of aging state infrastructure.

Your Committee has amended this measure by:

- (1) Requiring each capital improvement project funded through a public-private partnership to:
 - (A) Be approved by the Attorney General and Director of Finance;
 - (B) Adhere to the requirements of section 37D-2, Hawaii Revised Statutes, relating to financing agreements; and
 - (C) Not be a general obligation of the State pursuant to section 37D-5, Hawaii Revised Statutes;
- (2) Correcting the name of Uncle Billy's Hilo Bay Hotel;
- (3) Changing the amount of general obligation bonds authorized for issuance from \$81,800,000 to an unspecified sum;
- (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. 2280, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2280, S.D. 2, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2903 Ways and Means on S.B. No. 582

The purpose and intent of this measure is to appropriate moneys for expenses related to noncongregate housing and other costs relating to the provision of food, housing, or other assistance for individuals affected by the August 8, 2023, Maui wildfires.

Your Committee received written comments in support of this measure from the Hawaii Emergency Management Agency, Department of Budget and Finance, Department of Human Services, Department of the Attorney General, the Chair of the Maui County Council, and one individual.

Based on the recent informational briefings by your Committee, the State's obligations in response to the Maui wildfires will significantly surpass the \$200,000,000 that was deposited into the Major Disaster Fund for fiscal year 2023-2024. Governor's Message No. 3 did not specify the amounts needed in the emergency appropriation, as is typical of past practice. Without a clear plan for cost containment, it is difficult for the Legislature to pass a balanced budget.

As a result of the aforementioned issues, your Committee has taken the following actions:

- (1) On February 19, 2024, your Committee sent a letter to each department requesting a list of budget reductions totaling ten percent and fifteen percent of the department's general fund grand totals from Finance Memorandum No. 23-19, which can include existing cash balances from non-general funds; and
- (2) On February 22, 2024, your Committee sent a letter to each department requesting feedback and input on proposed cash transfers from non-general fund accounts that meet the following criteria:
 - (A) Fiscal year 2022-2023 revenues that were greater than fiscal year 2022-2023 expenditures;
 - (B) Fiscal year 2022-2023 ending cash balance that was greater than two times fiscal year 2022-2023 expenditures; and
 - (C) Fiscal year 2022-2023 ending cash balance that was greater than \$50,000.

In working with the departments, your Committee identified excess balances in non-general fund accounts that could be transferred in lieu of budget reductions, which will help to improve the State's financial plan.

The amounts proposed were calculated by subtracting the fiscal year 2022-2023 ending cash balance by two times the fiscal year 2022-2023 expenditures for non-general fund accounts that met the above criteria. The amounts identified reflect the maximum amounts in excess of the requirements of each fund to maintain operations over the next biennium.

Your Committee finds that transferring these excess amounts to the general fund will help the State to pass a balanced budget and meet its financial obligations to provide assistance to victims of the August 8, 2023, Maui wildfires.

Accordingly, your Committee has amended this measure by:

- (1) Adding language that authorizes the Director of Finance to transfer from the following funds or accounts the following amounts to the general fund:
- (A) S-303-A-AGRICULTURAL LOAN REVOLVING FUND: \$2,000,000;
 - (B) S-305-A NON-AGRICULTURAL PARK LANDS SPECIAL FUND: \$45,000;
 - (C) S-310-A AQUACULTURE LOAN RESERVE FUND: \$408,135;
 - (D) S-315-A-MILK CONTROL SPECIAL FUND: \$11,881;
 - (E) S-317-A AGRICULTURAL PARKS SPECIAL FUND: \$45,000;
 - (F) S-320-A-IRRIGATION SYSTEM REVOLVING FUND: \$87,000;
 - (G) S-322-A INDUSTRIAL HEMP PROGRAM SPECIAL FUND: \$90,374;
 - (H) S-305-N-DNA REGISTRY SPECIAL FUND: \$79,996;
 - (I) S-350-N-INTERNET CRIMES AGAINST CHILD SPECIAL FUND: \$181,386;
 - (J) S-305-B-ENERGY SECURITY FUND: \$463,555;
 - (K) S-342-B-STRATEGIC DEVELOPMENT PROGRAMS REVOLVING FUND: \$5,000,000;
 - (L) S-348-B-TOURISM SPECIAL FUND: \$1,325,891;
 - (M) S-361-B-CONVENTION CENTER ENTERPRISE SPECIAL FUND: \$11,000,000;
 - (N) S-376-B-HOUSING FINANCE REVOLVING FUND: \$2,000,000;
 - (O) S-352-G-HAZARD MITIGATION SPECIAL FUND: \$390,320;
 - (P) S-353-G-RESILIENT HI REVOLVING LOAN FUND: \$435,622;
 - (Q) S-317-K-GENERAL ASSISTANCE PAYMENTS: \$901,783;
 - (R) S-310-P-HUMAN RESOURCES DEVELOPMENT SPECIAL FUND: \$149,760;
 - (S) S-331-H-EARLY INTERVENTION SPECIAL FUND: \$204,329;
 - (T) S-338-H-VITAL STATISTICS IMPROVEMENT SPECIAL FUND: \$11,074;
 - (U) T-981-H-STATE HOSPITAL - DONATIONS (NOT IN S/T): \$50,407;
 - (V) T-904-L-WAGE CLAIM FUND: \$2,000,000;
 - (W) S-302-C-CONSERVATION & RESOURCES ENFORCEMENT: \$650,858;
 - (X) S-303-C-WATER AND LAND DEVELOPMENT: \$509,063;
 - (Y) S-309-C-BUREAU OF CONVEYANCES SPECIAL FUND: \$250,000;
 - (Z) S-316-C-SPECIAL LAND DEVELOPMENT FUND: \$1,000,000;
 - (AA) S-325-C-BEACH RESTORATION SPECIAL FUND: \$2,166,442;
 - (BB) S-326-C-WATER RESOURCE MANAGEMENT FUND: \$65,740;
 - (CC) S-342-C-NATURAL AREA RESERVE & WATERSHED MANAGEMENT: \$174,853;
 - (DD) S-349-C-CONSERVATION AND RESOURCES ENFORCEMENT: \$841,237;
 - (EE) S-359-C-OCEAN-BASED RECREATION SPECIAL FUND: \$2,000,000;
 - (FF) S-318-D-SAFE ROUTES TO SCHOOL PROGRAM: \$1,814,826; and
 - (GG) S-329-D-MOTORCYCLE/MOTOR SCOOTER OPERATORS EDUCATIONAL FUND: \$723,725; 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. 582, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 582, S.D. 2, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Lee).

SCRep. 2904 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 279

The purpose and intent of this measure is to:

- (1) Require Medicaid and insurance coverage of ketamine therapy to treat depression; and
- (2) Make an appropriation for costs resulting from Medicaid coverage of ketamine therapy.

Your Committees received testimony in support of this measure from Beyond Mental Health; Kahala Clinic for Children and Family; Marian L. Miller, PSY.D., Inc.; and six individuals.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs, Department of Human Services, and Hawai'i Medical Service Association.

Your Committees find that research has shown that, for some people, ketamine therapy may relieve depressive symptoms and restore quality of life when all other treatments have failed. Given its efficacy for people with suicidal ideation, it is plausible that ketamine may also be lifesaving. Your Committees find, however, that this life-saving agent is too cost-prohibitive. Your Committees find that making ketamine more easily accessible as an alternative therapy for individuals with treatment-resistant depression, who otherwise feel they have no hope, can protect and improve public health. Therefore, this measure requires much needed Medicare and insurance coverage for those Hawaii residents who suffer from major or severe depression.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2040, 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. 279, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 279, 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, 3. Noes, none. Excused, 2 (McKelvey, Richards).

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2905 Ways and Means on S.B. No. 1170

The purpose and intent of this measure is to increase the supply of affordable housing in the State.

More specifically, this measure requires the counties to issue affordable housing credits for affordable housing units that are constructed pursuant to chapter 201H, Hawaii Revised Statutes.

Your Committee received written comments in support of this measure from the Hawaii Community Development Authority, AARP Hawaii, EAH Housing, Hawaii Association of REALTORS, Kobayashi Group, Maui Chamber of Commerce, and NAIOP Hawaii.

Your Committee received written comments in opposition to this measure from the Department of Planning and Permitting of the City and County of Honolulu and Office of Housing and Community Development of the County of Hawaii.

Your Committee received written comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the State is experiencing an acute housing shortage. Your Committee also finds that there has been a lack of measurable progress at the county level to enact policies that will stimulate housing production to meet project demand. Your Committee further finds that increases in home loan and construction loan interest rates have severely impaired the ability of the Hawaii Housing Finance and Development Corporation to increase the affordable housing supply in the State.

Your Committee has amended this measure by:

- (1) Deleting references to the Hawaii Community Development Authority;
- (2) Correcting the text of section 46-15.1, Hawaii Revised Statutes, to accurately reflect the printed version of the statute;
- (3) Making a correction to accurately reflect the date that section 46-15.1, Hawaii Revised Statutes, is scheduled to be repealed and reenacted, pursuant to Act 90, Session Laws of Hawaii 2023; 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. 1170, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1170, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2906 Ways and Means on S.B. No. 2202

The purpose and intent of this measure is to amend the minimum amounts for certain purchases made in accordance with small purchase procedures under the public procurement code.

More specifically, the measure:

- (1) Increases from \$25,000 to \$50,000 the minimum amount for purchases constituting small purchase procurements; and

- (2) Sets at \$75,000 the minimum amount for purchases constituting small purchase procurements in a federally declared disaster area; provided that the procurement is through an electronic system and reported to the State Procurement Office.

Your Committee received written comments in opposition to this measure from the State Procurement Office.

Your Committee finds that increasing the minimum amount for purchases constituting small purchase procurements will help account for inflation and the rising cost of goods. Your Committee also finds that increasing the small purchase threshold for a federally declared disaster area will help facilitate response and recovery efforts after disasters.

Your Committee has amended this measure by:

- (1) Making the measure effective upon approval; and
- (2) Making technical nonsubstantive edits for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2202, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2202, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2907 Ways and Means on S.B. No. 2401

The purpose and intent of this measure is to control the feral chicken population across the State.

Specifically, the measure appropriates moneys to:

- (1) Each county, as a grant-in-aid, for the implementation of feral chicken control programs; and
- (2) The Department of Health for a feeding of feral animals education campaign.

Your Committee received written comments in support of this measure from the Department of Health; Department of Agriculture; City and County of Honolulu, Department of Customer Services; County of Maui; and Hawaii Farm Bureau.

Your Committee received written comments on this measure from the Hawaiian Humane Society.

Your Committee finds that feral chickens have become a persistent nuisance in Hawaii, particularly in suburban and residential communities. Your Committee further finds that controlling these feral populations is in the best interest of the environment, human health, and the animals themselves.

Your Committee has amended this measure by:

- (1) Changing the appropriations and grant-in-aid to each county to unspecified amounts;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2401, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2401, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2908 Ways and Means on S.B. No. 2526

The purpose and intent of this measure is to improve the resiliency of state information technology infrastructure.

Specifically, this measure:

- (1) Requires the Technology Services Consolidation Working Group to:
 - (A) Assist the Office of Enterprise Technology Services in working with certain state agencies to ensure that critical state information technology systems and data are hosted in a facility with certain redundancy requirements; and
 - (B) Ensure that all consolidated state information technology data facilities possess certain resiliency features; and
- (2) Extends the repeal date of the Technology Services Consolidation Working Group to June 30, 2026.

Your Committee received written comments in support of this measure from the Office of Enterprise Technology Services and Servpac.

Your Committee finds that power outages, cooling system malfunctions, and network disruptions have the potential to disrupt critical state information technology infrastructure, causing major negative repercussions for residents and businesses. Your Committee further finds that ensuring that state information technology and data infrastructure possess certain resiliency and redundancy features will help to prevent downtime and safeguard the availability of critical government services.

Your Committee has amended this measure by:

- (1) Amending the existing reporting requirements in sections 2(d) and (e) of Act 179, Session Laws of Hawaii 2022, to reflect the additional reports that the Technology Services Consolidation Working Group is required to submit;

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2526, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2526, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2909 Ways and Means on S.B. No. 2731

The purpose and intent of this measure is to create special number plates to honor veterans of the wars in Iraq and Afghanistan.

Your Committee received written comments in support of this measure from the Department of Defense, Hawaii Military Affairs Council, and three individuals.

Your Committee finds that special number plates are available for combat veterans of certain wars and conflicts. Your Committee further finds that creating a special number plate for Iraq and Afghanistan war veterans is an expression of gratitude for their service in protecting the State and nation.

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. 2731, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2731, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2910 Ways and Means on S.B. No. 2787

The purpose and intent of this measure is to require and appropriate moneys for the Office of Community Services to establish an Immigration Services and Access Unit to promote immigrant economic self-sufficiency, community inclusion, and integration.

Your Committee received written comments in support of this measure from the Department of Human Services, Office of Language Access, Office of Community Services, Hawaii Friends of Civil Rights, Hawaii Children's Action Network Speaks!, The Legal Clinic, Hawaii Coalition for Immigrant Rights, Hawaii Alliance for Progressive Action, World Education Services, Roots Reborn, Kaibigan ng Lahaina, and eight individuals.

Your Committee received written comments in opposition to this measure from the Hawaii Federation of Republican Women and sixty-one individuals.

Your Committee recognizes that many immigrants use their time and energy to contribute to local communities, and they are an essential part of the State's economy. Your Committee finds that because immigrants often face issues relating to language barriers, immigration status, integration, and other matters, the State should provide immigrants with appropriate support services.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2787, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2787, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2911 Ways and Means on S.B. No. 2890

The purpose and intent of this measure is to implement and appropriate moneys for a statewide system to track the status of the capital improvement projects of each department and agency.

Your Committee received written comments in support of this measure from the Department of Accounting and General Services, Department of Labor and Industrial Relations Office of Community Services, and Office of Enterprise Technology Services.

Your Committee finds that implementing a statewide tracking system for capital improvement projects will help ease the administrative burden of manually tracking expenditures for those projects.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2890, 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. 2912 Ways and Means on S.B. No. 2974

The purpose and intent of this measure is to establish, and require a legislative report from, a Business Revitalization Task Force to identify methods to improve Hawaii's general economic competitiveness and business climate.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development and Tourism; Chamber of Commerce Hawaii; Hawaii Food Industry Association; Retail Merchants of Hawaii; Hawaii Farm Bureau; and Maui Chamber of Commerce.

Your Committee received written comments in opposition to this measure from UNITE HERE! Local 5.

Your Committee recognizes that Hawaii ranks below other states in new business formations, early survival rates for startups, self-employment, and business climate. Your Committee finds it appropriate to explore possible methods to improve the State's environment for businesses and economic growth.

Your Committee has amended this measure by:

- (1) Providing that members of the task force selected from the local business community shall serve without compensation but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties;
- (2) Changing the effective date to July 1, 2024; 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. 2974, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2974, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2913 Ways and Means on S.B. No. 3070

The purpose and intent of this measure is to phase in a lower maximum projected funding period limit in which to amortize the total unfunded actuarial accrued liability of the Employees' Retirement System.

Your Committee received written comments in support of this measure from the Employees' Retirement System and Department of Budget and Finance.

Your Committee received written comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that this measure's requirement to incrementally reduce the amortization period for employer contribution rate amortization from thirty years to twenty years by 2029 will help to strengthen both the Employees' Retirement Systems' funding policy and the State's long-term financial position by providing a prudent and timely response to address the plan's unfunded actuarial accrued liability.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3070 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2914 Ways and Means on S.B. No. 3084

The purpose and intent of this measure is to exempt Hawaii National Guard servicemembers who are ordered into state active duty from membership in the Employees' Retirement System.

Your Committee received written comments in support of this measure from the Department of Defense and Hawaii Emergency Management Agency.

Your Committee received written comments on this measure from the Employees' Retirement System.

Your Committee finds that many Hawaii National Guard Servicemembers who are ordered to state active duty are not currently state or county employees in their civilian occupations and subsequently will not complete a sufficient period of service in order to vest in the Employees' Retirement System if they are required to contribute. Exempting National Guard servicemembers will help these individuals retain more of their pay without sacrificing their 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. 3084, 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. 2915 Commerce and Consumer Protection on S.B. No. 3129

The purpose and intent of this measure is to:

- (1) Establish the Hui Ho'omana Task Force within the State Health Planning and Development Agency to develop a comprehensive plan to provide universal access to equitable and affordable high-quality health care for state residents; and
- (2) Require the Hui Ho'omana to submit reports to the Legislature.

Your Committee received testimony in support of this measure from the Department of Human Services, Insurance Division of the Department of Commerce and Consumer Affairs, Executive Office on Aging, State Council on Developmental Disabilities, State Health Planning and Development Agency, University of Hawai'i System, AARP Hawai'i, Hawai'i Primary Care Association, Hawai'i Association of Health Plans, and AlohaCare.

Your Committee received comments on this measure from the Hawai'i State Center for Nursing, Healthcare Association of Hawaii, Papa Ola Lokahi, Kaiser Permanente Hawai'i, Hawai'i Pacific Health, and The Queen's Health System.

Your Committee finds that access to quality, affordable health care enables individuals to lead productive and fulfilling lives. However, with approximately eighty thousand uninsured residents, and many more underinsured, the State must do more to promote health equity, increase access to primary care services, set health care expenditures on a more sustainable trajectory, and lower health care costs for residents. Therefore, this measure seeks to address these issues by establishing a task force to make recommendations on how the State can best achieve universal access and equity to quality health care at an affordable cost for Hawaii residents.

Your Committee has amended this measure by:

- (1) Adding the Dean of the University of Hawaii Nancy Atmospera-Walch School of Nursing or the Dean's designee as a voting member of the Hui Ho'omana, thereby increasing the total number of the task force's voting members from twenty-five to twenty-six;
- (2) Replacing the Regional President of Kaiser Permanente Southern California and Hawaii Region or the Regional President's designee with one representative of the Kaiser Foundation Health Plan and Hospital, as a voting member of the Hui Ho'omana to be invited by the Administrator of the State Health Planning and Development Agency; 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. 3129, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3129, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 2916 Commerce and Consumer Protection on S.B. No. 3194

The purpose and intent of this measure is to authorize independent generators of renewable energy to wheel the renewable electricity they produce to users of renewable energy under administrative rules established by the Public Utilities Commission.

Your Committee received testimony in support of this measure from Tawhiri Power LLC, Hawaii Solar Energy Association, and Blue Planet Foundation.

Your Committee received comments on this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Hawaii State Energy Office, Public Utilities Commission, Ulupono Initiative, Kaua'i Island Utility Cooperative, and Hawaiian Electric.

Your Committee finds that retail wheeling, also known as third party access, is when a generator of power, whether an independent power producer, utility, or broker, sells power directly to an end user in another electric utility's territory. Through retail wheeling, a power generator bypasses the end-user's local electric utility, but uses the electric utility's transmission lines to sell to the electric utility's customer. In return, the power generator pays reasonable compensation to the electric utility for the use of its infrastructure. Your Committee finds that by authorizing retail wheeling for independent renewable energy generators, this measure, in its proposed form, would incentivize the development of more renewable energy projects, such as large solar and windmill farms, create new markets for clean and cost-efficient renewable energy throughout the State, and help Hawaii meet its ambitious renewable energy goals.

Your Committee has amended this measure by:

- (1) Inserting language that requires the Public Utilities Commission to first determine whether retail wheeling is in the public interest and if so determined, adopt administrative rules or establish orders, policies, and procedures to implement retail wheeling;
- (2) Inserting language to require the Public Utilities Commission to submit a report of its decision on retail wheeling, along with its findings and recommendations, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2026;
- (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. 3194, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3194, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4; Ayes with Reservations (Richards). Noes, none. Excused, 1 (Awa).

SCRep. 2917 (Joint/Majority) Ways and Means and Judiciary on S.B. No. 2640

The purpose and intent of this measure is to provide to any beneficiary under the Hawaiian Homes Commission Act, 1920, as amended, who is on the Department of Hawaiian Homes Lands waitlist, a cash award to purchase a residential lot outside of Department of Hawaiian Home Lands trust lands, or to pay the beneficiary's existing mortgage note or rent, in lieu of awarding the beneficiary a lease.

Your Committees received written comments in support of this measure from the Makaha Hawaiian Civic Club and five individuals.

Your Committees received written comments in opposition to this measure from the Center for Hawaiian Sovereignty Studies.

Your Committees received written comments on this measure from the Department of the Attorney General, Department of Hawaiian Home Lands, and one individual.

Your Committees recognize that the Department of Hawaiian Home Lands lacks sufficient suitable land to provide leases to all of the approximately twenty-four thousand Hawaiian home land beneficiaries on the Department's waitlist. Your Committees find that cash awards will serve as a reasonable alternative to direct leases, help the Department meet the housing needs of beneficiaries, and reduce the number of beneficiaries on its waitlist.

Your Committees have amended this measure by:

- (1) Inserting clarifying language to accommodate potential variation in the amount of the cash award granted, subject to an unspecified maximum amount, for any qualifying beneficiary;
- (2) Clarifying that a beneficiary who accepts a cash award as proposed by the measure shall relinquish the beneficiary's right to receive a lease award directly from the Department of Hawaiian Home Lands under the Hawaiian Homes Commission Act; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2640, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2640, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 12; Ayes with Reservations (DeCoite). Noes, 1 (Fevella). Excused, none.

Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 2918 (Joint) Ways and Means and Judiciary on S.B. No. 2645

The purpose and intent of this measure is to establish within the Department of Hawaiian Home Lands a compliance and enforcement program on Hawaiian home lands to investigate complaints, conduct investigations, and cooperate with law enforcement authorities to ensure compliance with applicable laws.

Your Committees received written comments in support of this measure from the Department of Hawaiian Home Lands, a member of the Hawaiian Homes Commission, and God Forgives Bad Boys & Bad Girls.

Your Committees received written comments on this measure from the Department of Law Enforcement.

Your Committees find that safety and compliance with laws should be priorities in all communities, including homestead communities. Your Committees also find that law enforcement authorities' inconsistent responses to illegal activities occurring on Hawaiian home lands effectively helps perpetuate those activities. Your Committees believe that establishing compliance personnel with the Department of Hawaiian Home Lands, and improving coordination between the Department and law enforcement authorities, are necessary.

Your Committees have amended this measure by:

- (1) Changing the name of the new program to the "compliance program on Hawaiian home lands" and deleting certain provisions relating to law enforcement activities by the Department of Hawaiian Home Lands and police powers of the Hawaiian Homes Commission;
- (2) Specifying that mutual aid agreements developed by officers of the program and law enforcement authorities may include provisions for the latter to assist in the enforcement of laws on lands under the Department of Hawaiian Home Lands' jurisdiction;
- (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 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. 2645, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2645, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 13. Noes, none. Excused, none.

Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 2919 (Joint) Ways and Means and Judiciary on S.B. No. 3328

The purpose and intent of this measure is to grant to the Department of Education authority over the State's public education facilities.

More specifically, this measure:

- (1) Requires the Department of Education to establish, maintain, and operate the State's public education facilities;
- (2) Authorizes the Department of Education to enter into certain agreements with other departments for the establishment, maintenance, and operation of the State's public education facilities;

- (3) Clarifies that the Superintendent of Education is responsible for the management of the internal improvements of the State's public education facilities;
- (4) Establishes within the Department of Education the Office of Facilities and Real Estate Development and the Office of School Operations and Services and the duties and powers of each;
- (5) Establishes the educational facilities and real estate development special fund;
- (6) Transfers to the Department of Education the rights, powers, functions, duties, employees, records, documents, and equipment of the School Facilities Authority; and
- (7) Repeals the School Facilities Authority.

Your Committees received written comments in support of this measure from the Board of Education, Department of Education, and one individual.

Your Committees received written comments in opposition to this measure from UNITE HERE Local 5.

Your Committees received written comments on this measure from the Department of the Attorney General and Department of Budget and Finance.

Your Committees find that granting the Department of Education authority over the State's public education facilities will help to optimize the State's efforts to manage and improve these facilities.

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. 3328, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 13. Noes, none. Excused, none.

Judiciary: Ayes, 5; Ayes with Reservations (Elefante). Noes, none. Excused, none.

SCRep. 2920 (Joint) Ways and Means and Judiciary on S.B. No. 3332

The purpose and intent of this measure is to establish an alternative eviction process for tenants on Maui who are unable to pay rent due to losses resulting from the 2023 Maui wildfires.

Specifically, this measure:

- (1) Establishes a pre-litigation mediation requirement and process for tenancies on Maui; and
- (2) Appropriates moneys for a rent relief program to help tenants avoid eviction and to maintain stable tenancies.

Your Committees received written comments in support of this measure from the Judiciary; Office of Economic Revitalization of the City and County of Honolulu; Kuikahi Mediation Center; The Mediation Center of the Pacific, Inc.; Catholic Charities Hawaii; Hawaii Children's Action Network Speaks!; Mediation Centers of Hawaii; Hawaii State Coalition Against Domestic Violence; and nine individuals.

Your Committees received comments on this measure from the Department of the Attorney General, Hawaii Realtors, and Hawaii Appleseed Center for Law and Economic Justice.

Your Committees find that the alternative eviction process established by this measure will help to reduce the number of evictions and burden on the courts following the termination of the Governor's final emergency proclamation containing an eviction moratorium for Maui tenants affected by the 2023 Maui wildfires.

Your Committees have amended this measure by:

- (1) Amending the definition of the term "final eviction moratorium" and clarifying that the Governor may reinstate or issue a new emergency proclamation that contains a prohibition against residential evictions; 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. 3332, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3332, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 13. Noes, none. Excused, none.

Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 2921 (Joint) Judiciary and Ways and Means on S.B. No. 2682

The purpose and intent of this measure is to:

- (1) Beginning January 1, 2025, require physicians to perform or order a test for lead in minor patients at certain intervals, and if the physician performs the test, include the results in the minor patient's record of immunization;
- (2) Require the Department of Health to adopt recommendations; and
- (3) Provide certain exemptions for the mandatory lead poisoning testing of minors.

Your Committees received testimony in support of this measure from the Department of Health, Disability and Communication Access Board, Hawai'i Chapter of the American Academy of Pediatrics, Hawai'i Children's Action Network Speaks!, and four individuals.

Your Committees find that children with lead in their blood above the Centers for Disease Control and Prevention reference level who are not tested miss the opportunity for identification and removal of the lead source. Additionally, other children may be exposed to that lead source if it is not identified and removed. This measure will prevent children from being exposed to lead, identify children already exposed to lead so the source can be removed, and connect families with recommended 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. 2682, 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. 2922 (Joint/Majority) Judiciary and Commerce and Consumer Protection on S.B. No. 2342

The purpose and intent of this measure is to:

- (1) Change the penalties for violations of certain traffic laws and required motor vehicle insurance minimums; and
- (2) Require the Insurance Commissioner to solicit rate filings from motor vehicle insurers.

Your Committees received testimony in support of this measure from the Department of Transportation, Hawaii Association for Justice, and four individuals.

Your Committees received testimony in opposition to this measure from the American Property Casualty Insurance Association and State Farm Mutual Automobile Insurance Company.

Your Committees received comments on this measure from the Department of the Attorney General, Insurance Division of the Department of Commerce and Consumer Affairs, Hawaii Insurers Council, and Turo Inc.

Your Committees find that the State has one of the lowest requirements for mandatory minimum coverage for motor vehicles. However, the State's lower mandatory minimum coverage requirements may place undue burdens on motor vehicle collision victims and their families, who often must pay out-of-pocket for expenses that were not covered by insurance. Therefore, this measure promotes safety on the State's roadways while providing additional accountability for motor vehicle owners and operators.

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 Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2342, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2342, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

Commerce and Consumer Protection: Ayes, 3. Noes, 1 (Awa). Excused, 1 (McKelvey).

SCRep. 2923 Judiciary on S.B. No. 2020

The purpose and intent of this measure is to make it a deceptive practice to advertise, display, or offer a price for goods or services that does not include all mandatory fees or charges, with certain exceptions.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs' Office of Consumer Protection and two individuals.

Your Committee received testimony in opposition to this measure from CTIA, Hawai'i Restaurant Association, Chamber of Progress, TechNet, and Maui Chamber of Commerce.

Your Committee received comments on this measure from Expedia Group and National Association of Theatre Owners.

Your Committee finds that there is national support to reduce and eliminate mandatory fees that often hide the full price of a good or service and surprise fees that consumers learn about after purchase. This measure provides consumers the ability to make better and more informed purchasing decisions by prohibiting any person, other than those providing certain broadband internet access services, from advertising, displaying, or offering a price for a good or service that does not include all mandatory fees other than taxes imposed by a government or reasonable postage or carriage 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. 2020, 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 (Gabbard).

SCRep. 2924 Judiciary on S.B. No. 2018

The purpose and intent of this measure is to:

- (1) Prohibit a county from changing the land use designation or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing zoning district below what was allowed under the general plan or specific land use designation and zoning ordinances in effect on January 1, 2024; and
- (2) Allow a county to change a land use designation or zoning ordinance to a less intensive use if the county concurrently enacts measures to ensure that there is no net loss in residential capacity.

Your Committee received testimony in support of this measure from the Grassroot Institute of Hawaii.

Your Committee received testimony in opposition to this measure from the Department of Planning and Permitting of the City and County of Honolulu.

Your Committee finds that when a county downzones, or changes the land use designation or zoning of a property to a less intensive use, it reduces the potential housing supply in the State. This measure prevents counties from exacerbating the housing crisis and protects the State's potential housing supply, while preserving the county's authority to downzone land in accordance with the needs of its community.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2018 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Elefante). Noes, none. Excused, 1 (Gabbard).

SCRep. 2925 Judiciary on S.B. No. 2569

The purpose and intent of this measure is to allow a person who employs or contracts with a health care worker who suffers an act of violence at the health care facility to report the event to law enforcement and petition for a temporary restraining order and injunction under certain circumstances.

Your Committee received testimony in support of this measure from the Hawai'i State Center for Nursing, Waianae Coast Comprehensive Health Center, and one individual.

Your Committee finds that while Act 147, Session Laws of Hawaii 2018, expanded protections for all health care workers who are victims of an act of violence, more can be done via legislation to provide a health care worker the legal safeguards that are critical in the aftermath of an assault. Your Committee further finds that a 2023 report published by the Hawai'i State Center for Nursing found that sixty-four percent of all nurses experienced some type of physical or verbal violence by a patient or visitor in the last twelve months. This measure will prioritize the safety and security of health care workers by allowing an employer to seek proper legal and safety protections in the event of an act of violence.

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. 2569, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2569, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2926 Judiciary on S.B. No. 3303

The purpose and intent of this measure is to:

- (1) Clarify labeling requirements for macadamia nuts;
- (2) Require the country of origin to be included on the label of a consumer package of raw or processed macadamia nuts; and
- (3) Allow a private right of action for violations.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Farm Bureau, Maui County Farm Bureau, Big Island Juicing, Hawaii Ulu Cooperative, Synergistic Hawaii Agriculture Council, Hawaiian Macadamia Nut Services, Hawaii Macadamia Nut Association, Hamakua Macadamia Nut Company, Macadamia Growers of Hawai'i, Ka'u Farms Management LLC, Island Harvest Inc., and more than one hundred fifty individuals.

Your Committee received testimony in opposition to this measure from Hawaiian Host Group and more than one hundred fifty individuals.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that with more than six hundred twenty farms operating on seventeen thousand acres, the State is the fifth largest producer of macadamia nuts in the world after Australia, South Africa, China, and Kenya. However, the State's macadamia nut industry is under significant stress from economic and environmental pressures, with one of the greatest threats to the viability of macadamia farming in the State being the misleading labeling of macadamia nut products. This measure will enact positive changes to protect macadamia nut farmers and the premium brand of goods grown and produced in the State.

Your Committee has amended this measure by:

- (1) Deleting language that would have required a listing of the countries of origin of the portion of the raw macadamia nuts not grown in the Hawai'i that are included in the package to be shown on the label; and

- (2) Inserting language clarifying that if the regulations established by this measure conflict at any time with federal law, then the federal law shall prevail.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3303, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3303, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 3; Ayes with Reservations (Elefante). Noes, none. Excused, 2 (San Buenaventura, Awa).

SCRep. 2927 Judiciary on S.B. No. 3123

The purpose and intent of this measure is to:

- (1) Authorize the Department of Hawaiian Home Lands to access vital records for purposes of verifying native Hawaiian ancestry for beneficiary programs; and
- (2) Require the Department of Health and the Department of Hawaiian Home Lands to enter into a Memorandum of Agreement to assure appropriate access and handling of confidential records and sealed records that have been unsealed pursuant to court order.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Department of Health, and Department of Human Services.

Your Committee finds that, pursuant to existing law and administrative rules, the Department of Hawaiian Home Lands must verify the requisite amounts of native Hawaiian or Hawaiian lineage for beneficiaries. The current length for the Department of Hawaiian Home Lands to receive vital records once requested is approximately four to six weeks. This measure will ease certain administrative inefficiencies for the Department of Hawaiian Home Lands and directly benefit beneficiaries, who suffer the most when the requirement to obtain, and then verify, certain records delays requests to transfer their application or lease rights.

Your Committee has amended this measure by clarifying that the Department of Hawaiian Home Lands is authorized to access vital records for purposes of verifying Native Hawaiian ancestry for beneficiary programs.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3123, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3123, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 2928 Judiciary on S.B. No. 2983

The purpose and intent of this measure is to:

- (1) Regulate charitable fundraising platforms and activities of platform charities during declared federal disasters;
- (2) Establish provisions relating to the misuse of funds;
- (3) Impose vicarious liability upon a platform charity for a charitable fundraising platform's misuse of funds, and vice versa; and
- (4) Exempt national disaster charitable organizations from established provisions.

Your Committee received testimony in support of this measure from the Department of the Attorney General.

Your Committee received comments on this measure from the Hawai'i Alliance of Nonprofit Organizations.

Your Committee finds that the August 2023 Maui wildfires presented government officials with numerous challenges that ranged from helping victims find housing, food, and other necessities of life to handling the massive influx of donations from around the world. The wildfires also brought out the best of intentions in people who reached out with offers of financial and in-kind gifts intended to help alleviate the suffering. However, managing donations presented a series of challenges to assure the generosity went to where it was intended, and that fraud was identified and limited. This measure will prevent the likelihood of deception, confusion, or misunderstanding when donations are made during an emergency period.

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. 2983, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2983, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2929 Judiciary on S.B. No. 2066

The purpose and intent of this measure is to require certain projects meeting the criteria of section 201H-38(a)(1), Hawaii Revised Statutes (HRS), to be exclusively for sale or rent to qualified residents as defined in section 201H-32, HRS, who are deemed to be a moderate income household.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation and NAIOP Hawaii.

Your Committee finds that the State has been building homes at a rate of only two thousand units per year, far lower than the ten thousand necessary to house residents. The State's limited housing production coupled with sky-high demand drives Hawai'i's people to the mainland, causing the State's population to decline for the last seven consecutive years. This measure aims to mitigate this exodus through making housing available to residents who meet certain criteria.

Your Committee has amended this measure by inserting an effective date of April 14, 2112, 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. 2066, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2066, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 2930 Ways and Means on S.B. No. 3239

The purpose and intent of this measure is to require and appropriate moneys for the Office of Wellness and Resilience to design and implement a three-year pilot program, in collaboration with health care providers, to acquire and forgive outstanding medical debt.

Your Committee received written comments in support of this measure from the Office of Wellness and Resilience, State Health Planning and Development Agency, American Cancer Society Cancer Action Network, The Queen's Health System, Healthcare Association of Hawaii, Aloha United Way, Hawaii Health and Harm Reduction Center, and three individuals.

Your Committee recognizes that medical debt can be a crushing burden on a person's mental health and physical well-being. Your Committee finds it appropriate for the State to help alleviate this financial burden that many Hawaii residents carry.

Your Committee has amended this measure by:

- (1) Authorizing the Office of Wellness and Resilience to develop, implement, and execute a permanent program, rather than a pilot program, to acquire and forgive outstanding medical debt;
- (2) Deleting language that would have required the Office of Wellness and Resilience to collaborate with health care providers in the design and implementation of the pilot program;
- (3) Authorizing the Office of Wellness and Resilience to contract with an entity with demonstrated experience partnering with hospitals and health systems to acquire and forgive outstanding medical debt;
- (4) Specifying that the program acquire and forgive the medical debt of households at no more than four hundred percent of the federal poverty level, or households with a medical debt balance of five percent or more of household income;
- (5) Establishing certain medical privacy requirements;
- (6) Authorizing the Office of Wellness and Resilience to receive private funds, federal funds, and any funds appropriated by the Legislature for the purpose of acquiring and forgiving outstanding medical debt;
- (7) Requiring the Office of Wellness and Resilience to submit annual progress reports to the Legislature;
- (8) Deleting the measure's appropriation; and
- (9) 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. 3239, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3239, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2931 Ways and Means on S.B. No. 2836

The purpose and intent of this measure is to establish a council to coordinate the housing recovery efforts for Maui following the 2023 Maui wildfires.

Specifically, this measure:

- (1) Establishes the Interagency Council for Maui Housing Recovery to coordinate and facilitate Maui's permanent housing recovery and facilitate consultation and collaboration between state and county agencies on housing recovery initiatives for Maui; and
- (2) Appropriates \$500,000 for the Interagency Council for Maui Housing Recovery and to assist the state and Maui County agencies in applying for federal loans and grants.

Your Committee received written comments in support of this measure from the Hawaii Housing Finance and Development Corporation, Hawaii Public Housing Authority, Council Chair of the Maui County Council, and Maui Chamber of Commerce.

Your Committee received written comments on this measure from the Department of Human Services and the Office of the Governor.

Your Committee finds that establishing an entity to coordinate and monitor the State and County of Maui's housing recovery efforts will help to streamline housing construction for wildfire victims. Your Committee further finds that, due to the large number of members of the council and the potential that a majority of the members may not be present at all meetings, the majority of members present at any noticed public meeting should constitute a quorum for conducting council meetings.

Your Committee has amended this measure by:

- (1) Specifying that a majority of members present at any noticed public meeting shall constitute a quorum for the Hawaii Interagency Council for Maui Housing Recovery to do business;
- (2) Changing the amount appropriated from \$500,000 to an unspecified amount; 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. 2836, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2836, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2932 Ways and Means on S.B. No. 2406

The purpose and intent of this measure is to require that any contract entered into by the Hawaii Tourism Authority for the management of the Hawaii Convention Center also include marketing of the facility.

Your Committee received written comments on this measure from the Hawaii Tourism Authority.

Your Committee finds that requiring one entity to oversee both the management and marketing of the Hawaii Convention Center will help to increase government efficiency and ensure closer coordination between the use and advertisement of the Hawaii Convention 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. 2406, 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. 2933 Ways and Means on S.B. No. 2319

The purpose and intent of this measure is to propose a constitutional amendment to increase the mandatory retirement age for state justices and judges from seventy to seventy-five years of age.

Your Committee received written comments in support of this measure from the Judiciary, Community Alliance on Prisons, and one individual.

Your Committee received written comments in opposition to this measure from two individuals.

Your Committee finds that state justices and judges are able to perform their judicial duties past the age of seventy. Your Committee further finds that many of the justices and judges who were forced to retire at age seventy continue to be active in the legal community and other community-based endeavors.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2319 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2934 Ways and Means on S.B. No. 3290

The purpose and intent of this measure is to require the Disability and Communication Access Board to convene a working group to study and, with the assistance of the Department of Health, report to the Legislature regarding the state of American Sign Language services in Hawaii.

Your Committee received written comments in support of this measure from the Department of Human Services, Disability and Communication Access Board, and four individuals.

Your Committee recognizes that there is a shortage of American Sign Language interpreters in the State to assist deaf and hard-of-hearing individuals. Your Committee finds that it is crucial to explore means to facilitate the availability of American Sign Language interpretation services statewide.

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. 3290, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3290, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2935 Ways and Means on S.B. No. 3116

The purpose and intent of this measure is to explicitly establish that the priority of selection for preschool open doors program participation shall apply only to the priority application period between February 1 and the start of each state fiscal year.

Your Committee received written comments in support of this measure from the Department of Human Services, Executive Office on Early Learning, Hui for Excellence in Education Coalition, Early Childhood Action Strategy, and Hawaii Children's Action Network Speaks!

Your Committee recognizes that the current procedures for prioritizing applications for the preschool open doors program during an application period result in a brief, one- to two-month period after the application period ends and the next application period starts. Your Committee finds that by specifying that the priority criteria shall be applicable through the priority application period, the State can both preserve the prioritization process and facilitate the review of applications.

Your Committee has amended this measure by:

- (1) Clarifying that for the purposes of priority of selection for the preschool open doors program, the Department of Humans Services shall adopt administrative rules to determine a child's underserved or at-risk status; 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. 3116, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3116, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2936 Ways and Means on S.B. No. 3103

The purpose and intent of this measure is to require attestations or declarations to the Department of Business, Economic Development, and Tourism regarding project labor standards for certain large-scale renewable energy projects.

Your Committee received written comments in support of this measure from the Hawaii State Energy Office, Pacific Resource Partnership, Operating Engineers Local 3, and Hawaii Regional Council of Carpenters.

Your Committee received written comments on this measure from Hawaiian Electric.

Your Committee finds that the compliance and reporting requirements established by this measure will help encourage the use of local labor and the payment of prevailing wages to provide economic stability for Hawaii's residents.

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. 3103, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3103, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2937 Ways and Means on S.B. No. 2885

The purpose and intent of this measure is to establish and appropriate moneys for a working group to develop a triage center program serving homeless individuals having substance abuse issues or mental illnesses.

Your Committee received written comments in support of this measure from the State Health Planning and Development Agency, Statewide Office on Homelessness and Housing Solutions, Aloha United Way, Hawaii Substance Abuse Coalition, Partners In Care – Oahu's Continuum of Care, and one individual.

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

Your Committee finds that substance abuse and mental illness are pervasive issues affecting homeless individuals throughout the State. Your Committee therefore believes that establishing a triage center program will offer many homeless individuals the opportunity to receive effective treatment.

Your Committee has amended this measure by:

- (1) Inserting an unspecified termination date for the triage center program working group;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2885, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2885, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2938 Ways and Means on S.B. No. 2782

The purpose and intent of this measure is to remove language barriers and improve language accessibility in state information technology systems.

Specifically, this measure:

- (1) Requires the Office of Enterprise Technology Services to develop multilingual accessibility standards in consultation with the Office of Language and Access; and
- (2) Appropriates moneys to establish one full-time equivalent (1.0 FTE) permanent program manager position.

Your Committee received written comments in support of this measure from the Department of Human Services, Office of Language Access, Office of Enterprise Technology Services, Hawaii Friends of Civil Rights, Hawaii Children's Action Network Speaks!, The Legal Clinic, Hawaii Coalition for Immigrant Rights, Hawaii Alliance for Progressive Action, Kaibigan ng Lahaina, and seven individuals.

Your Committee finds that providing equal access to state services and information for individuals with limited English proficiency upholds fundamental fairness principles and fosters economic growth. Your Committee further finds that ensuring compliance with multilingual accessibility standards will help to avoid costly miscommunications, legal disputes, and inefficiencies.

Your Committee has amended this measure by:

- (1) Codifying the Office of Enterprise Technology Services' responsibility to create multilingual accessibility standards in a new section of Chapter 27, Hawaii Revised Statutes, rather than in section 27-43, Hawaii Revised Statutes;
- (2) Correcting references to the Office of Enterprise Technology Services;
- (3) Clarifying the definition of the terms "access" and "accessibility";
- (4) Deleting the definition of a term that is not used within 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. 2782, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2782, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2939 Ways and Means on S.B. No. 2599

The purpose and intent of this measure is to limit the salaries of Executive Branch employees to amounts designated in the budget enacted by the Legislature or other legislative enactments.

Your Committee received written comments in opposition to this measure from the Department of Budget and Finance.

Your Committee received written comments on this measure from the Department of Human Resources Development.

Your Committee finds that limiting salaries to amounts specifically authorized by the Legislature will uphold legislative intent, promote transparency, and increase fiscal responsibility.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2599, 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. 2940 Judiciary on S.B. No. 2992

The purpose and intent of this measure is to, beginning July 1, 2025, and every ten years thereafter, require the Department of Health to convene an Advisory Committee on Mental Health Code Review.

Your Committee received testimony in support of this measure from the Department of Health, State Council on Mental Health, and Hawaii Health System Corporation.

Your Committee received comments on this measure from the Queen's Health System.

Your Committee finds that existing law relating to mental health and involuntary transport, examination, hospitalization, and treatment lack clarity and contain inconsistencies. Your Committee believes that it is important that such an important part of state law receives full and deliberate attention from time to time to ensure the law's continued force and effectiveness. This measure will maintain coherence and effectiveness of the State's mental health laws while advancing the overall goal of improving mental health in the State.

Your Committee has amended this measure by:

- (1) Inserting language adding to the membership of the Advisory Committee on Mental Health Code Review a representative from a private acute care hospital that offers psychological or mental health services, to be selected by the Governor;
- (2) Inserting language adding to the membership of the Advisory Committee on Mental Health Code Review a representative from the Hawaii Health Systems Corporation, to be selected by the Governor;

- (3) Requiring the Advisory Committee on Mental Health Code Review to submit its report no later than forty days prior to the convening of the regular session immediately following the convening of the Advisory Committee instead of twenty days prior; 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. 2992, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2992, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2941 (Majority) Judiciary on S.B. No. 2845

The purpose and intent of this measure is to:

- (1) Prohibit a person from selling ammunition to a person under the age of twenty-one; and
- (2) Prohibit a person under the age of twenty-one from owning, possessing, or controlling ammunition, with exceptions.

Your Committee received testimony in support of this measure from Everytown for Gun Safety; Moms Demand Action for Gun Sense in America, Hawaii Chapter; Students Demand Action for Gun Sense in America, Hawaii Chapter; Hawai'i State Coalition Against Domestic Violence; and four individuals.

Your Committee received testimony in opposition to this measure from the National Rifle Association and more than one hundred sixty individuals.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that research shows that individuals aged eighteen to twenty commit gun homicides at three times the rate of adults aged twenty-one years and older. Restricting access to ammunition for persons under the age of twenty-one will save lives if an individual under the age of twenty-one is able to obtain an illegal firearm. This measure will improve public safety and conform the State's laws regulating ammunition with the State's existing firearm laws.

Your Committee has amended this measure by:

- (1) Clarifying that no person shall intentionally, knowingly, or recklessly sell, offer to sell, distribute, or otherwise transfer ammunition for any firearm to any person who is under the age of twenty-one;
- (2) Clarifying that it is not a violation of the prohibition against the sale of ammunition to a person under the age of twenty-one if the person under the age of twenty-one meets the criteria to possess a firearm under section 134-5, Hawaii Revised Statutes, and is actively engaged in hunting or target shooting or going to or from the place of hunting or target shooting;
- (3) Inserting language requiring any person who sells, offers for sale, distributes, or otherwise transfers ammunition for any firearm to check the government-issued photographic identification of the buyer or recipient to establish the age of the buyer or recipient before making the transfer;
- (4) Deleting language that would have made it a defense to a prosecution for the sale of ammunition to a person under the age of twenty-one that the defendant sold the ammunition to the person under the age of twenty-one with the belief, which was reasonable under the circumstances, that the person under the age of twenty-one had attained the age of twenty-one;
- (5) Inserting language that makes it an affirmative defense to the prohibition against the sale of ammunition to a person under the age of twenty-one that the seller, distributor, or transferor of the ammunition had requested, examined, and reasonably relied upon a government-issued photographic identification establishing the age of the buyer or recipient as at least twenty-one years of age before making the transfer of the ammunition;
- (6) Clarifying that the exemption to the prohibition against a person under the age of twenty-one from owning, possessing, or controlling ammunition applies to a person in an exempt category identified in section 134-11(a), Hawaii Revised Statutes;
- (7) Inserting a savings clause; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2845, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2845, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 2 (Gabbard, Awa). Excused, none.

SCRep. 2942 Judiciary on S.B. No. 2819

The purpose and intent of this measure is to require slow-moving vehicles on a two-lane highway, behind which five vehicles are formed in a line, to pull over where possible to let the trailing vehicles proceed when passing is unsafe.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that unsafe driving conditions may be created on two-lane roadways where the lead vehicle is moving slowly, with a backup of vehicles behind it, and traffic moving in the opposite direction makes it hazardous to pass. This measure will prevent collisions, improve operational efficiency, and minimize road rage statewide.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2819, 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. 2943 (Majority) Judiciary on S.B. No. 2832

The purpose and intent of this measure is to:

- (1) Specify that the counties may issue traffic infractions for violations for any law prohibiting or restricting the stopping, standing, or parking of vehicles on all highways; and
- (2) Authorize stopping, standing, and parking restrictions, and prohibitions on property under jurisdiction of the Director of Transportation and the counties, respectively.

Your Committee received testimony in support of this measure from the Office of the Mayor of Maui County.

Your Committee finds that existing law does not allow the counties to issue traffic infractions for violations of laws prohibiting or restricting the stopping, standing, or parking of vehicles on highways. This measure will lead to increased parking management, greater enforcement flexibility, and enhanced traffic 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. 2832, 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. 2944 Judiciary on S.B. No. 2697

The purpose and intent of this measure is to require the Department of Commerce and Consumer Affairs to revoke the licenses of architects who have been, or caused a government employee to be, convicted of a criminal offense involving the acceptance of a bribe.

Your Committee received comments on this measure from the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects.

Your Committee finds that existing law does not require the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects to revoke the licenses of architects in the State who have been convicted of bribing a government employee. Your Committee believes that allowing architects convicted of bribery to continue to retain their licenses undermines public trust. This measure will ensure that architects convicted of bribery face appropriate 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 S.B. No. 2697, 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. 2945 Judiciary on S.B. No. 2759

The purpose and intent of this measure is to:

- (1) Prohibit the State from leasing any public lands, or extending the lease of any public lands, to any individual, corporation, or federal agency that is in arrears in the payment of certain moneys to the State, noncompliant with a consent decree or memoranda of agreement with the State that requires environmental maintenance or remediation with regard to the subject public lands, or convicted of a crime;
- (2) Require certification by the Office of the Governor before the issuance or extension of any federal lease that the individual, corporation, or federal agency is in good standing with the State; and
- (3) Provide that, if any existing lessee of public lands is found not to be in good standing with the State, the lessee shall have three years, or until the end of the lease term, whichever is sooner, to correct the violation or the lease shall be terminated.

Your Committee received testimony in support of this measure from the Chamber of Sustainable Commerce, Sierra Club of Hawai'i, Hawai'i Peace and Justice, and Hawai'i Alliance for Progressive Action.

Your Committee received testimony in opposition to this measure from the Hawaii Military Affairs Council.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that public lands are held in trust for the benefit of present and future generations, with government entities such as the Department of Land and Natural Resources having fiduciary obligations to apply standards of due diligence and prudent decision-making in the management of these lands. Your Committee believes that the State should ensure that all of its lessees meet all financial, contractual, and legal obligations and exercise its right to terminate a lease when a lessee engages in criminal activity on the property. This measure will provide a safeguard against the issuance of leases to unreliable entities who have a history of noncompliance or other problematic behavior.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2759, 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. 2946 Judiciary on S.B. No. 2172

The purpose and intent of this measure is to prohibit staff members from assuming the authority and duties of the chairperson of a board or commission.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that boards and commissions have important responsibilities and duties. Therefore, this measure aims to ensure that only qualified individuals may temporarily take the place of the chair or co-chairs of a board or commission in their absence.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2172, 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 (Gabbard).

SCRep. 2947 Judiciary on S.B. No. 2575

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, under certain conditions; 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 Department of Health, Office of Hawaiian Affairs, Sustainable Ocean Alliance Hawai'i; Parley for the Oceans, Hawai'i; Hawai'i Youth Climate Coalition; Hawai'i Wildlife Fund; Mālama Pūpūkea-Waimea; Deep Sea Mining Campaign; Rev Ocean; Friends of Haunama Bay; Marine Conservation Institute; Kauai Women's Caucus; Hawai'i's Thousand Friends; Sustainable Coastlines Hawai'i, National Parks Conservation Association; Oceanic Preservation Society; Marine Mammal Center; Greenpeace USA; HULIPAC; Te Ipukarea Society; Benioff Ocean Science Laboratory; Surfrider Foundation Hawai'i; Sierra Club of Hawai'i; FutureSwell; Kua'āina Ulu 'Auamo; Environmental Caucus of the Democratic Party of Hawai'i; Ocean Foundation; For the Fishes; Hawaii Reef and Ocean Coalition; 350Hawaii.org; The Nature Conservancy; Hawai'i Alliance for Progressive Action; Greenpeace Hawaii; Chamber of Sustainable Commerce; Blue Climate Initiative – Tetiaroa Society US; and thirty-one individuals.

Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that that seabed mining is the antithesis of the Hawaii State Constitution's commitment to safeguard Hawaii's waters for future generations. Your Committee further finds that the mining, extraction, and removal of minerals from the seabed is extremely destructive to ocean ecosystems that are already severely stressed due to rising temperatures, acidification, overfishing, and other effects caused by climate change. Your Committee notes that even though mining companies frequently use renewable energy as a justification to conduct mineral extraction from seabeds, the risks far outweigh any perceived benefit that mining would have on fighting the climate crisis. This measure will ensure the protection of the State's ocean environment from further damage, disruption, and destruction caused by seabed mining.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2575 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Gabbard, Awa).

SCRep. 2948 Ways and Means on S.B. No. 3183

The purpose and intent of this measure is to establish a county mileage-based road usage charge.

More specifically, this measure:

- (1) Subjects certain vehicles to a county mileage-based road usage charge;
- (2) Establishes the methodology for calculating each county's mileage-based road usage charge;
- (3) Provides for the disposition of each county's mileage-based road usage charge into the highway fund;
- (4) Expands the authorized uses of moneys in the state highway fund;
- (5) Repeals the requirement that the Department of Transportation establish county subaccounts within the state highway fund;
- (6) Excludes taxes, fees, and charges that are collected pursuant to the state mileage-based road usage charge from being deposited into a county highway fund;
- (7) Establishes a sunset date of June 30, 2028, for the \$50 maximum state mileage-based road usage charge;

- (8) Authorizes the counties to adopt administrative rules for establishing and administering their respective county mileage-based road usage charge; and
- (9) Excludes motor scooters from the definition of "motor vehicles", as it relates to motor vehicle insurance.

Your Committee received written comments in support of this measure from the Department of Transportation, Hawaii State Energy Office, Oahu Metropolitan Planning Organization, Ulupono Initiative, and one individual.

Your Committee received written comments in opposition to this measure from the Hawaii Automobile Dealer Association.

Your Committee received written comments on this measure from Tax Foundation of Hawaii.

Your Committee finds that establishing a county mileage-based road usage charge will help to create a more sustainable and equitable funding mechanism for the Department of Transportation.

Your Committee has amended this measure by:

- (1) Deleting a redundant provision regarding the collection, deposit, and expenditure of county mileage-based road usage charge moneys;
- (2) Clarifying the applicability of certain definitions relating to the establishment of the county mileage-based road usage charge;
- (3) Clarifying that each county is responsible for establishing, by resolution, the rates to be used to calculate each county's respective mileage-based road usage charge;
- (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. 3183, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3183, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2949 Ways and Means on S.B. No. 3120

The purpose and intent of this measure is to clarify organizational roles within the Hawaii Public Housing Authority.

More specifically, the measure:

- (1) Establishes and makes exempt from chapter 76, Hawaii Revised statutes, the position of Housing Policy and Program Coordinator;
- (2) Clarifies that the employment of staff for certain positions and the adjustment of salaries for those positions are authorized by the Executive Director of the Hawaii Public Housing Authority, not the Hawaii Public Housing Authority Board of Directors; and
- (3) Repeals the wage ceiling requirement for positions in the Hawaii Public Housing Authority.

Your Committee received written comments in support of this measure from the Hawaii Public Housing Authority.

Your Committee finds that the new role and management structures established by this measure will help the Hawaii Public Housing Authority address more efficiently the State's critical shortage of affordable 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. 3120, 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. 2950 Ways and Means on S.B. No. 3085

The purpose and intent of this measure is to authorize the payment of allowances for TRICARE Reserve Select coverage to junior officers, warrant officers, or enlisted personnel of the Hawaii National Guard who are ordered to active duty for more than thirty days in service to the State.

Your Committee received written comments in support of this measure from the Department of Defense and Hawaii Emergency Management Agency.

Your Committee finds that the healthcare coverage provided by this measure will help demonstrate the State's appreciation and support for the National Guard members who serve and protect Hawaii, and their families.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3085, 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. 2951 Ways and Means on S.B. No. 3202

The purpose and intent of this measure is to facilitate the availability of homes for residents of the State.

Specifically, the measure:

- (1) Authorizes the development of a minimum of four homes per lot in the state urban land use district;
- (2) Authorizes approval for subdivisions of parcels with a minimum lot size of one thousand two hundred square feet in the state urban land use district; and
- (3) Amends the calculation of impact fees for certain developments.

Your Committee received written comments in support of this measure from the Hawaii Housing Finance and Development Corporation, Office of Planning and Sustainable Development, Mayor of Maui County, one member of the Kauai County Council, County of Kauai Planning Department, County of Hawaii Planning Department, AARP Hawaii, Hawaii YIMBY, Housing Hawaii's Future, Hawaii Appleseed Center for Law and Economic Justice, NAIOP Hawaii Chapter, Holomua Collaborative, Grassroot Institute of Hawaii, Chamber of Commerce Hawaii, Maui Chamber of Commerce, Land Use Research Foundation of Hawaii, and five individuals.

Your Committee received written comments in opposition to this measure from the Outdoor Circle, HI Good Neighbor, and numerous individuals.

Your Committee received written comments on this measure from the City and County of Honolulu Department of Planning and Permitting, Hawaii REALTORS, and one individual.

Your Committee recognizes that our island state has limited lands that are suitable for residential development. Your Committee finds that promoting higher density, compact development, and efficient use of residential lands in urban areas addresses the State's shortage of housing units and reduces the pressure to convert agricultural and conservation lands into urban uses.

Your Committee has amended this measure by:

- (1) Deleting its findings and purpose section;
- (2) Replacing language that authorizes the development of a minimum of four homes per lot in the state urban land use district with language that requires each county to allow for at least two additional dwelling units on residentially zoned lots;
- (3) Authorizing counties to adopt and apply certain zoning-relating requirements;
- (4) Providing that any application for subdivision, consolidation, or resubdivision of parcels within the state urban land use district shall be reviewed and acted upon by the director of the county agency responsible for land use;
- (5) Requiring that all resulting parcels subdivided, consolidated, or resubdivided be residentially zoned and at least two thousand square feet in area, except that a county may by ordinance or rule allow for smaller residentially zoned parcels;
- (6) Expanding the scope of historic sites that are protected from subdivision, consolidation, or resubdivision;
- (7) Prohibiting the subdivision, consolidation, or resubdivision of a parcel that is subject to any land condition or features that render the site unsuitable or hazardous to the health, safety, and welfare of future residents or the surrounding community;
- (8) Providing that condominium law under Chapter 514B, Hawaii Revised Statutes, shall not apply to parcels resulting from a subdivision, consolidation, or resubdivision made pursuant to section 46-4(g), Hawaii Revised Statutes; and
- (9) 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. 3202, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3202, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13; Ayes with Reservations (Kim). Noes, none. Excused, none.

SCRep. 2952 Ways and Means on S.B. No. 3217

The purpose and intent of this measure is to require the Hawaii Employer-Union Health Benefits Trust Fund to increase employer contribution amounts based on changes to the Medicare Part B premiums between the two previous years, instead of changes between the previous and current years.

Your Committee received written comments in support of this measure from the Hawaii Employer-Union Health Benefits Trust Fund.

Your Committee finds that due to unfortunate timing, the health coverage open enrollment period for the Hawaii Employer-Union Health Benefits Trust Fund retirees can occur before the publication of the applicable Medicare Part B premium amount, which results in retirees not knowing the employers' contribution amount during open enrollment. Your Committee further finds that this measure will help to correct the timing issue by calculating employer contribution amounts based on the Medicare Part B premium publications from the previous two years, which are published well before the open enrollment period. Your Committee finds that this change will help to accurately inform retirees of their potential health coverage costs during the open enrollment period.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3217 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2953 Ways and Means on S.B. No. 2474

The purpose and intent of this measure is to establish a family leave insurance program.

More specifically, this measure:

- (1) Requires the Department of Labor and Industrial Relations to establish a family leave insurance program and pay family leave insurance benefits, submit annual reports to the Legislature, and conduct a family leave insurance program public outreach and education campaign;
- (2) Establishes a regulatory framework for the family leave insurance program;
- (3) Establishes a family leave insurance trust fund;
- (4) Establishes eligibility requirements for receipt of family leave insurance benefits;
- (5) Expands the definitions of “child”, “employer”, and “parent”, as those terms relate to family leave;
- (6) Amends the criteria for family leave, including eligibility, duration, and qualifying events;
- (7) Clarifies employers’ powers and rights relating to paid family leave; and
- (8) Appropriates moneys for the establishment, operation, and administration of the family leave insurance program.

Your Committee received written comments in support of this measure from the Department of Human Services; Disability and Communication Access Board; Executive Office on Aging; Executive Office on Early Learning; Office of Hawaiian Affairs; Office of Wellness and Resilience; AARP Hawaii; AF3IRM Hawaii; African American Lawyers Association of Hawaii; Aloha United Way; AlohaCare; American Academy of Pediatrics - Hawaii Chapter; American Civil Liberties Union of Hawaii; Breastfeeding Hawaii; Catholic Charities Hawaii; Chamber of Sustainable Commerce; Democratic Party of Hawaii; Democratic Party of Hawaii Education Caucus; Democratic Party of Hawaii Labor Caucus; Hawaii Alliance for Progressive Action; Hawaii Appleseed Center for Law and Economic Justice; Hawaii Children’s Action Network Speaks!; Hawaii Family Caregiver Coalition; Hawaii Health and Harm Reduction Center; Hawaii Hunger Action Network; Hawaii Public Health Association; Hawaii Public Health Institute; Hawaii State Association of Counties; Hawaii State Coalition Against Domestic Violence; Hawaii State Teachers Association; Hawaii Women Lawyers; Hawaii Workers Center; Hawaiian Community Assets; Imua Alliance; Mental Health America of Hawaii; Pacific Birth Collective; Papa Ola Lokahi; Parents And Children Together; Pride at Work Hawaii; Rainbow Family 808; Save Medicaid Hawaii; Stonewall Caucus of the Democratic Party of Hawaii; UNITE HERE Local 5; We Are One, Inc.; and numerous individuals.

Your Committee received written comments in opposition to this measure from Chamber of Commerce Hawaii, Hawaii Energy Marketers Association, Hawaii Government Employees Association, Hawaii Restaurant Association, Maui Chamber of Commerce, National Federation of Independent Business, Retail Merchants of Hawaii, SHRM Hawaii, and United Public Workers.

Your Committee received written comments on this measure from the Department of Budget and Finance, Department of Labor and Industrial Relations, Department of the Attorney General, American Council of Life Insurers, and Grassroot Institute of Hawaii.

Your Committee finds that establishing a family leave insurance program will help to more effectively support families across the State having young children and elderly or ill family members.

Your Committee notes that, in its written comments on this measure, the Department of the Attorney General recommended amending this measure to:

- (1) Clarify the administration of the paid family leave program;
- (2) Change the reference to “part V of chapter 392”, Hawaii Revised Statutes, in section 398-I, Hawaii Revised Statutes, to read “section 398-24”, Hawaii Revised Statutes;
- (3) Address the ambiguity of administration of the paid family leave insurance program in sections 398-21, 398-23, 398-24, and 398-26, Hawaii Revised Statutes, to specifically provide that these sections cannot be applied to the two administrative models described in this measure;
- (4) Amend sections 398-6, 398-7, 398-9, 398-10, 398-25, 398-26, and 398-27, Hawaii Revised Statutes, to clarify whether the sections apply to employees, covered individuals, or both, in accordance with the method of administering the paid family leave insurance program;
- (5) Replace the term “employee” with “covered individual” in sections 398-A(c)(1) and (c)(3), Hawaii Revised Statutes;
- (6) Delete the phrase “funds collected pursuant to section 398-I”, Hawaii Revised Statutes, in section 398-D, Hawaii Revised Statutes, if the Legislature intends to create two separate administrative models;
- (7) Provide a method for calculating contribution rates;
- (8) Change the reference to “department of labor and industrial relation” in section 398-D, Hawaii Revised Statutes, to read “department”;
- (9) Delete the words “an officer of” in section 398-I(b), Hawaii Revised Statutes; and
- (10) Change the phrase “appeal the petition for redetermination” in section 398-I(b), Hawaii Revised Statutes, to read “appeal the department’s determination”.

Your Committee has amended this measure by:

- (1) Correcting a reference to the trust fund for disability benefits; 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. 2474, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2474, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2954 Ways and Means on S.B. No. 2501

The purpose and intent of this measure is to require the Hawaii Invasive Species Council to prioritize the protection of exceptional trees from invasive species.

Your Committee received written comments in support of this measure from the Hawaii Farm Bureau.

Your Committee received written comments on this measure from the Hawaii Invasive Species Council.

Your Committee finds that it is the policy of the State to safeguard exceptional trees from destruction. Your Committee further finds that invasive species pose a serious risk to exceptional trees and that those trees should thus be prioritized for protection.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2501, 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. 2955 Ways and Means on S.B. No. 2536

The purpose and intent of this measure is to encourage the growth and sustainability of businesses that employ Hawaii residents by providing those businesses with a competitive advantage in government contracts.

More specifically, this measure:

- (1) Establishes a new accounting services procurement preference for certain Hawaii accounting service businesses; and
- (2) Clarifies that the existing reciprocity procurement preference includes offerors pursuant to sections 103D-302 and 103D-303, HRS.

Your Committee received written comments in support of this measure from Accuity, LLP.

Your Committee received written comments in opposition to this measure from the State Procurement Office.

Your Committee finds that the measure will help ensure that a robust accounting profession is maintained 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 S.B. No. 2536, 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. 2956 Ways and Means on S.B. No. 2942

The purpose and intent of this measure is to regulate the employment of minors.

More specifically, this measure:

- (1) Allows minors under the age of sixteen years to work in theatrical employment; provided that the employer procures a valid certificate of employment and the minor is accompanied by a parent, guardian, or a certain responsible adult;
- (2) Requires a nurse certified in basic life support to accompany, supervise, and advocate on behalf of an infant on set who is under the age of one year;
- (3) Requires a studio teacher to accompany, teach, and attend to the health, safety, and well-being of minors who have attained the age of five years when work is performed during periods when the minors are required to attend school but have been excused by school authorities from attending; and
- (4) Defines “nurse” and “studio teacher”.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations, Hawaii State AFL-CIO, IATSE Local 665, Kathy Muller Agency, Pride at Work - Hawaii, Rainbow Family 808, SAG-AFTRA Hawaii Local, Stonewall Caucus of the Democratic Party of Hawaii, and twenty-five individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that there is currently no state law that requires a nurse or studio teacher to be on set each day that a minor is employed in theatrical employment. Your Committee also finds that current agreements between studios and SAG-AFTRA only require that a studio teacher be on set every three consecutive days. As a result, some production companies have intentionally

scheduled a minor's work in such a way as to avoid having a studio teacher on set at all. Your Committee believes that this measure will help to mitigate risks and provide essential support for minors navigating the challenges of a fast-paced and demanding work environment.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2942, 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. 2957 Ways and Means on S.B. No. 3067

The purpose and intent of this measure is to facilitate the achievement of state treasury investment objectives.

Specifically, this measure:

- (1) Moves the Hurricane Reserve Trust Fund into the state treasury; and
- (2) Makes housekeeping amendments relating to the Hurricane Reserve Trust Fund.

Your Committee received written comments in support of this measure from the Department of Budget and Finance and Hawaii Emergency Management Agency.

Your Committee received written comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the state treasury maintains an investment pool consisting of participating state accounts. Your Committee further finds that transferring the Hurricane Reserve Trust Fund into the state treasury will enhance the state treasury's ability to pool funds and meet its investment objectives of safety, liquidity, and yield.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3067, 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. 2958 Ways and Means on S.B. No. 2866

The purpose and intent of this measure is to facilitate government transparency with regard to capital improvement projects.

More specifically, this measure requires the Executive Branch of the State to develop and maintain a publicly accessible online project management platform.

Your Committee received written comments in support of this measure from the Department of Accounting and General Services and Office of Enterprise Technology Services.

Your Committee finds that capital improvement projects are construction projects that provide improvements or additions to land, buildings, and infrastructure. Your Committee believes that, since these projects are typically large and expensive, the public should have the ability to review information on pending or completed projects.

Your Committee further notes that the Department of Accounting and General Services estimates that an appropriation of \$2,000,000 would be required for Fiscal Year 2025 to design and implement an online project management platform.

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. 2866, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2866, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2959 Ways and Means on S.B. No. 3000

The purpose and intent of this measure is to require and appropriate moneys for the Department of Accounting and General Services to maintain and distribute free menstrual products in certain restrooms in covered public buildings.

Your Committee received written comments in support of this measure from the Department of Accounting and General Services, Hawaii State Council on Developmental Disabilities, Hawaii State Public Library System, Judiciary, Kauai High School, Waimanalo Elementary and Intermediate School, Kauai County Council, AF3IRM Hawaii, Alliance for Period Supplies, Aloha Lokahi Association - Hawaiian Culture Education, Big Island Substance Abuse Council, Breastfeeding Hawaii, DreamHouse Ewa Beach Public Charter School, Hawaii Health and Harm Reduction Center, Hawaii Medical Service Association, Hawaii State Coalition Against Domestic Violence, Hawaii Women's Coalition, Mai Movement Hawaii, Midwives Alliance of Hawaii, Period Law, PERIOD., Planned Parenthood Alliance Advocates, Pride at Work Hawaii, Rainbow Family 808, Stonewall Caucus of the Democratic Party of Hawaii, Zen Den Midwifery, Zonta Club of Hilo, and numerous individuals.

Your Committee received written comments in opposition to this measure from numerous individuals.

Your Committee finds that providing free menstrual products in state buildings will help persons meet their basic health and hygiene needs.

Your Committee has amended this measure by:

- (1) Deleting 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 appropriation of \$600,000 for the stocking of free menstrual products and installation of dispensers or other devices;
- (3) Changing the effective date to July 1, 2024; 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. 3000, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3000, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2960 Ways and Means on S.B. No. 3207

The purpose and intent of this measure is to increase the salary cap of the Superintendent of Education to not more than \$300,000 and makes permanent the annual performance evaluation requirements for the Superintendent.

Your Committee received written comments in support of this measure from the Board of Education.

Your Committee received written comments in opposition to this measure from numerous individuals.

Your Committee finds that the salary of the Superintendent of Education is set by the Board of Education, subject to a salary cap. Act 90, Session Laws of Hawaii 2014, amended provisions relating to the Superintendent's salary to subject the Superintendent to an annual performance evaluation by the Board of Education. Your Committee believes that the Board of Education is in the best position to determine the salary of the Superintendent of Education based upon an annual performance evaluation.

Your Committee has amended this measure by removing the salary cap for the Superintendent of Education.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3207, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3207, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12; Ayes with Reservations (Kim, Fevella). Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2961 (Majority) Judiciary on S.B. No. 2945

The purpose and intent of this measure is to establish a task force to conduct a statewide study on the accessibility of ignition interlock devices and any national best practices.

Your Committee received testimony in support of this measure from Intoxalock.

Your Committee received testimony in opposition to this measure from Mothers Against Drunk Driving Hawaii and one individual.

Your Committee received comments on this measure from the Department of Transportation and Hawaii Medical Association.

Your Committee finds that existing law requires the Department of Transportation to select a single vendor to install ignition interlock devices statewide. However, Hawai'i is the only state in the nation that has a single vendor to implement an ignition interlock device program, with the national average being 6.8 certified ignition interlock device vendors per state. This measure will allow the State to ensure that ignition interlock devices are readily available, affordable, and of sufficient quality throughout 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2945, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2945, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 2962 Judiciary on S.B. No. 2997

The purpose and intent of this measure is to require electric utilities to design a risk-based wildfire protection plan approved by the Public Utilities Commission.

Your Committee received testimony in support of this measure from Ulupono Initiative and Hawaiian Electric.

Your Committee received comments on this measure from the Office of the Governor, Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Hawaii State Energy Office, Public Utilities Commission, and Maui Chamber of Commerce.

Your Committee finds that the Maui wildfires that arose on August 8, 2023, resulted in an unbearable loss of lives, homes, infrastructure, and businesses. The Maui wildfires are a wake-up call that due to climate change, the risk of catastrophic wildfires and

other natural disasters in the State has increased. Your Committee further finds that as the risk of catastrophic wildfires in the State increases, electric utilities must develop and implement effective plans for wildfire risk mitigation. This measure will encourage electric utilities to proactively manage their wildfire risk by requiring that they design a risk-based wildfire protection plan approved by the Public Utilities Commission.

Your Committee has amended this measure by:

- (1) Inserting an effective date of April 14, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2997, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2997, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2963 (Majority) Judiciary on S.B. No. 2721

The purpose and intent of this measure is to clarify that violation of part I of chapter 200, Hawaii Revised Statutes, relating to ocean recreation and coastal areas, or any rules adopted thereunder are subject to criminal penalties.

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 Maui Chamber of Commerce.

Your Committee finds that without sufficient penalties to deter repeat violations, the rates of illegal activities at small boat harbors and boating facilities will remain the same or increase. This measure will help the Division of Conservation and Resources Enforcement of the Department of Land and Natural Resources respond to instances of vandalism, theft, trespassing, and squatting at small boat harbors and boating facilities.

Your Committee has amended this measure by:

- (1) Inserting a savings clause; and
- (2) Making 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. 2721, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2721, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 2964 Judiciary on S.B. No. 2948

The purpose and intent of this measure is to:

- (1) Authorize residential uses in areas zoned for commercial to be considered permitted as long as the residential use is limited by ordinance to floors above the ground floor of a building or structure and development standards are met;
- (2) Exempt areas zoned under the Hawaii Community Development Authority;
- (3) Require each county to adopt ordinances that allow for adaptive reuse of existing commercial buildings in the county's building codes; and
- (4) Require counties to facilitate compliance with the Americans with Disabilities Act when adopting an adaptive reuse building code ordinance.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, one member of the Kaua'i County Council, NAIOP Hawaii, Housing Hawai'i's Future, Grassroot Institute of Hawaii, Oahu Metropolitan Planning Organization, Hawai'i YIMBY, Maui Chamber of Commerce, and three individuals.

Your Committee received comments on this measure from the Disability and Communication Access Board.

Your Committee finds that allowing mixed commercial and residential uses will create vibrant neighborhoods by enabling residents to live near businesses and employers and preserve the State's natural beauty and agricultural land by allowing housing in developed commercial areas rather than on undeveloped land. This measure will reduce the need for long commutes, decrease traffic congestion, lower carbon emissions, and address housing shortages in the State.

Your Committee notes that certain areas highlight the disadvantages of having no zoning at all, such as Houston, Texas. Your Committee further notes that subsequent Committees may wish to consider amending this measure to specify minimum requirements for people with communication and mobility disabilities.

Your Committee has amended this measure by:

- (1) Making it effective on January 1, 2025; 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. 2948, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2948, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2965 Judiciary on S.B. No. 2308

The purpose and intent of this measure is to establish additional fines and penalties for convictions of speeding in a school zone.

Your Committee received testimony in support of this measure from the Department of Transportation and Department of Education.

Your Committee finds that school zones are planned to help ensure that students arrive at and leave school safely. Your Committee further finds that common contributing factors in school zone related accidents are speed and distracted drivers. Even though speed reduction laws in school zones already exist, students are still injured in these types of accidents. This measure will establish additional fines for those convicted of speeding in school zones, which will deter them from committing future violations.

Your Committee has amended this measure by:

- (1) Inserting a savings clause; and
- (2) Making 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. 2308, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2308, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4; Ayes with Reservations (San Buenaventura). Noes, none. Excused, 1 (Gabbard).

SCRep. 2966 Judiciary on S.B. No. 2591

The purpose and intent of this measure is to impose a fine of \$1,000 on any private landowner who:

- (1) Fails to disclose or record the existence of burial sites or archaeological sites on their property to the Bureau of Conveyances that the landlord knew or should have known of; or
- (2) Fails to record their property with the Hawaii Register of Historic Places prior to or concurrent with a real estate transaction when they knew or should have known that an obligation existed.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Malama Mauka, and one individual.

Your Committee finds that it is important for the State to encourage property owners to allow access to their lands to identify burial sites and to carry out cultural practices relating to burial sites. Your Committee further finds that it is crucial to stress that private landowners be accountable for these sites. This measure will preserve and guard burial sites by instituting fines on private property owners that fail to disclose and record these historical sites.

Your Committee has amended this measure by:

- (1) Deleting language that would have imposed a fine of \$1,000 on any private landowner who fails to record their property with the Hawaii Register of Historic Places prior to or concurrent with a real estate transaction when they knew or should have known that an obligation existed;
- (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. 2591, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2591, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Gabbard, Awa).

SCRep. 2967 Judiciary on S.B. No. 2227

The purpose and intent of this measure is to authorize the Governor to suspend the mortgage foreclosure provisions of chapter 667, Hawaii Revised Statutes, for any property having substantial damage resulting from a disaster for which a state of emergency has been declared by the Governor.

Your Committee received testimony in support of this measure from one member of the Kaua'i County Council; one member of the Maui County Council; Hawai'i State Association of Counties; Lāhainā Strong; UNITE HERE Local 5; We Are One, Inc.; Tagnawa; and forty-five individuals.

Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS, Hawaii Bankers Association, and Mortgage Bankers Association of Hawaii.

Your Committee received comments on this measure from the Hawaii Credit Union League and Hawaii Financial Services Association.

Your Committee finds that federal regulations allow homeowners a ninety-day forbearance on mortgage payments in the aftermath of a natural disaster. After this period passes, however, homeowners are required to resume payments and cover the ninety days of missed payments. This measure will provide the Governor with express authority to suspend mortgage foreclosure provisions, which will provide stability and security to victims of natural disasters and emergencies in the State.

Your Committee has amended this measure by:

- (1) Clarifying that the Governor is authorized to suspend the mortgage foreclosure provisions of chapter 667, Hawaii Revised Statutes, for any property having substantial damage of \$10,000 or more resulting from a disaster for which a state of emergency has been declared by the Governor; 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. 2227, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2227, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Elefante, San Buenaventura). Noes, none. Excused, 1 (Gabbard).

SCRep. 2968 (Majority) Judiciary on S.B. No. 2532

The purpose and intent of this measure is to:

- (1) Clarify that the secured areas appurtenant to a building, including a multi-unit building, are included as dwellings for the purposes of prosecuting offenses under chapter 708, Hawaii Revised Statutes; and
- (2) Allow the owner of a multi-unit building, a property manager, or an authorized representative of the condominium association to act as a complainant for the purpose of investigating and prosecuting a burglary in the first degree in a multi-unit building.

Your Committee received testimony in support of this measure from the Honolulu Tower Association of Apartment Owners and four individuals.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that certain individuals, who are neither residents nor guests of a multi-unit dwelling, have increasingly engaged in illicit activities within the secured areas of multi-unit dwellings, which include secured parking and storage areas. However, law enforcement officers and prosecutors often choose not to investigate and charge crimes that occur in these areas as burglaries because they are not obvious “dwellings”, despite the very real threat these crimes pose to building residents. This measure will deter criminal acts from occurring in secured areas of multi-unit dwellings.

Your Committee has amended this measure by replacing language that would have specified certain qualifications of an appurtenant parking or storage area that is a “dwelling” with language clarifying that an appurtenant parking or storage area must have its entry clearly restricted to only the building’s residents, by means of signage or security apparatus or both, to qualify as a “dwelling”.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2532, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2532, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2969 (Majority) Judiciary on S.B. No. 2350

The purpose and intent of this measure is to:

- (1) Establish a separate prohibition on driving motor vehicles having noisy mufflers on public highways in high-density areas;
- (2) Authorize police officers to conduct examinations and inspections of motor vehicle mufflers in high-density areas;
- (3) Establish separate fines for violations of motor scooter and motor vehicle muffler regulations; and
- (4) Define “high-density areas”.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, one member of the Waikiki Neighborhood Board, and five 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 noise pollution and disturbances from low restriction mufflers on motor vehicles, predominantly motorcycles, have plagued residents throughout the State, especially those living in high-density areas. Although existing law forbids vehicle owners from installing mufflers that intensify the noise of their vehicle, the penalties are negligible and fail to deter violations. This measure will reduce noise, improve public health and safety, and allow residents and visitors in the State to enjoy peace and a higher quality of life.

Your Committee has amended this measure by:

- (1) Replacing the penalty for a violation of the prohibition against the use of a muffler that noticeably increases the noise emitted by a motor vehicle above that emitted by the vehicle as equipped by the factory on a public highway in a high-density area with tiered fines of:
 - (A) A fine of not more than \$200 for the first conviction;
 - (B) A fine of not more than \$500 for a second conviction committed within five years; and
 - (C) A fine of not more than \$1,500 for a third or subsequent conviction within five years;
- (2) Deleting language that would have allowed any police officer to conduct examinations and inspections if the officer has probable cause to believe that a vehicle's excessively noisy muffler is evidence of a violation of the prohibition against the use of a muffler that noticeably increases the noise emitted by a motor vehicle above that emitted by the vehicle as equipped by the factory on a public highway in a high-density area;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Gabbard).

SCRep. 2970 (Majority) Judiciary on S.B. No. 2735

The purpose and intent of this measure is to:

- (1) Require driver's license examinations to test the applicant's knowledge of the dangers that larger motor vehicles present to pedestrians; and
- (2) Require offenders who are found to be excessively speeding or driving while intoxicated to retake and pass the driver's license examination for each offense.

Your Committee received testimony in support of this measure from the Department of Transportation and Oahu Metropolitan Planning Organization.

Your Committee finds that educating new drivers about the potential hazards of driving a larger motor vehicle will improve pedestrian safety. Additionally, the inconvenience of having to retake the driver licensing exam will deter irresponsible driving. This measure will reduce motor vehicle fatalities and injuries, improve pedestrian safety, and deter dangerous driving behaviors.

Your Committee has amended this measure by:

- (1) Inserting language requiring the examination required by the examiner of drivers for every applicant for a driver's license to include a test of the applicant's knowledge of the dangers that large vehicles, including trucks, pose to bicyclists;
- (2) Clarifying that any person convicted of habitually operating a vehicle under the influence of an intoxicant is required to retake and pass a driver's license examination as provided in section 286-108, Hawaii Revised Statutes;
- (3) Inserting a savings clause;
- (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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2735, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2735, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 2971 Judiciary on S.B. No. 3192

The purpose and intent of this measure is to make permanent the Innovation and Commercialization Initiative Program established within the University of Hawaii.

Your Committee received testimony in support of this measure from the University of Hawai'i System.

Your Committee finds that research conducted at the University of Hawaii is sometimes transformed into viable commercial enterprises. As the State's only system of public higher education, the University of Hawaii plays a critical role in workforce development and diversification of economic industries in the State. This measure offers continued support of research activities at the University of Hawaii while providing additional avenues of economic development for the State.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3192, 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 (Gabbard).

SCRep. 2972 Judiciary on S.B. No. 3191

The purpose and intent of this measure is to permanently authorize the University of Hawaii to continue to regulate conflicts of interest and other ethical issues for technology transfer activities sponsored by the University of Hawaii.

Your Committee received testimony in support of this measure from the University of Hawai'i System.

Your Committee finds that Act 38, Session Laws of Hawaii 2017 (Act 38), provided the University of Hawaii with the authority to comport technology transfer activities with principles embodied in the State Ethics Code regarding commercialization of inventions and discoveries made by students, faculty, and alumni. Act 8, Special Session Laws of Hawaii 2021, established a sunset date of June 30, 2024, for requirements established by Act 38. However, the University of Hawaii has since taken a proactive approach to codify compliance requirements. Therefore, this measure allows the University of Hawaii to become an innovator and driver of economic development through the transformation of inventions and discoveries into commercially viable products 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. 3191, 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 (Gabbard).

SCRep. 2973 Judiciary on S.B. No. 2245

The purpose and intent of this measure is to:

- (1) Clarify certain definitions under the Child Protective Act;
- (2) Authorize the child's family to consent to protective custody or temporary foster custody of a child;
- (3) Clarify the circumstances when police officers shall assume protective custody of a child and when the Department of Human Services shall assume temporary foster custody of the child; and
- (4) Authorize the Department of Human Services to file a petition and seek an order for protective custody if there is reasonable cause to believe that a child is subject to imminent harm.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Judiciary, and one individual.

Your Committee received testimony in opposition to this measure from the Hawaii Coalition for Child Protective Reform, Hawaii Family Advocacy Group, and five individuals.

Your Committee finds that protecting the health and safety of the State's children is of the utmost importance. Certain situations in which the child is in imminent danger may necessitate emergency action, including assumption of temporary custody of a child by a police department or temporary foster placement. This measure ensures the safety of the child by providing a way to remove the child from a dangerous situation in some circumstances.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2245, 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 (Gabbard, Awa).

SCRep. 2974 Judiciary on S.B. No. 2546

The purpose and intent of this measure is to require hunting guides to:

- (1) Obtain written permission from the owners of private lands before taking their clients to hunt on the private land; and
- (2) Submit a copy of the written permission to the Department of Land and Natural Resources as part of their annual reports.

Your Committee received testimony in support of this measure from Kealia Ranch; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; and twelve individuals.

Your Committee finds that unpermitted hunting on private land is extremely dangerous for both the landowner and the hunter. While existing law forbids hunters from hunting on private lands without the landowner's consent, recent incidents of livestock slaughtering, theft, vandalism, crop destruction, and poaching have become prevalent throughout the State. Your Committee further finds that more is needed to help farmers, ranchers, and private land owners to manage responsible access to their lands. Therefore, this measure addresses the concerns of landowners by enforcing proper management of hunting activities.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2546, 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 (Gabbard).

SCRep. 2975 (Majority) Judiciary on S.B. No. 2561

The purpose and intent of this measure is to:

- (1) Prohibit intentionally leaving or confining pet animals in a vehicle under conditions that endanger their health, safety, or well-being;
- (2) Permit law enforcement officers, animal control officers, and firefighters to enter an unattended vehicle to protect the health, safety, or well-being of a pet animal that is endangered by being left or confined in an unattended vehicle; and
- (3) Allow private citizens to rescue a pet animal that has been left in an unattended vehicle under certain circumstances.

Your Committee received testimony in support of this measure from the Animal Legal Defense Fund, Animal Interfaith Alliance in Britain, and fourteen individuals.

Your Committee received comments on this measure from the Department of the Attorney General, Hawaii Association for Justice, and Hawaiian Humane Society.

Your Committee finds that every year, hundreds of pet animals lose their lives when their owners leave them alone in parked vehicles in extreme temperatures. Your Committee further finds that fourteen states have already passed measures granting certain immunities from civil and criminal liability for individuals who rescue unattended pets left in vehicles. By protecting individuals who intervene to remove unattended animals contained in vehicles, this measure will protect and save pet animals from injury or death due to dangerous temperatures.

Your Committee has amended this measure by:

- (1) Inserting an effective date of April 14, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2561, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2561, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Gabbard).

SCRep. 2976 Judiciary on S.B. No. 2908

The purpose and intent of this measure is to prohibit residential rent increases in affected areas for an unspecified period after a severe storm warning or issuance of an emergency proclamation.

Your Committee received testimony in support of this measure from the Hawai'i Emergency Management Agency; We Are One, Inc.; Ohana Guardians Group; Tagnawa; Lāhainā Strong; Hawai'i Alliance for Progressive Action; one member of the Maui County Council; and fifty-five individuals.

Your Committee received comments on this measure from the Hawai'i Association of REALTORS.

Your Committee finds that emergencies can overwhelm individuals and families, both due to physical housing damage caused by disasters and by predatory pricing in the aftermath of an emergency. Your Committee recognizes that it is critical to prevent behavior such as rental increases and termination of rental agreements in order to prioritize Hawai'i's residents in emergency situations. This measure provides protections to renters and tenants during a state of emergency by prohibiting predatory practices.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2908, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (San Buenaventura). Noes, none. Excused, none.

SCRep. 2977 Judiciary on S.B. No. 3114

The purpose and intent of this measure is to:

- (1) Clarify that a confirmed report of harm or threatened harm, as defined in chapter 587A, Hawaii Revised Statutes, or child abuse and neglect, as defined in chapter 350, Hawaii Revised Statutes, will result in the maintenance of the perpetrator's name in Hawaii's Child Abuse and Neglect Central Registry;
- (2) Clarify when a confirmed report may be expunged from the Central Registry; and
- (3) Establish a process for expungement from the Central Registry upon request.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Human Services, and one individual.

Your Committee received testimony in opposition to this measure from the Hawaii Coalition for Child Protective Reform.

Your Committee finds that when the Department of Human Services confirms that a person is the perpetrator of child abuse or neglect, and the person's name is placed in the Central Registry, the information remains in the Central Registry indefinitely unless it is expunged. The Central Registry's information can be used as a basis for licensing and employment decisions and may also affect a person's ability to adopt a child. Information in the Central Registry can only be expunged if the report of abuse or neglect is later determined to be unconfirmed or through a judicial proceeding. This measure will clarify the process to challenge a Department of Human Services investigation and provide certain individuals with a way to have their information expunged from the Central Registry.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3114, 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. 2978 Judiciary on S.B. No. 3135

The purpose and intent of this measure is to:

- (1) Authorize the Examiner of Drivers to suspend the driver's license of a person using a parking permit issued to a deceased person who was deceased when the permit was issued to obtain parking privileges;
- (2) Provide that fifty percent of any fine imposed for violating the law relating to parking for disabled persons is remitted to the law enforcement agency that issued the citation;
- (3) Authorize each county to enact ordinances to enforce the design and construction requirements for the provision of accessible parking spaces, including the establishment of penalties for failure to comply with the ordinances; and
- (4) Authorize officials appointed by a county to enter the property of places of public accommodation to enforce violations of the county ordinances.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, Hawaii State Council on Developmental Disabilities, one member of the Kaua'i County Council, and four individuals.

Your Committee received comments on this measure from one individual.

Your Committee finds that a statewide parking program for persons with disabilities provides individuals with the ability to park in accessible parking spaces via the use of parking placards. However, there are instances of abuse in the use of these placards exacerbating the challenge for participants who genuinely need access to these parking spaces. This measure addresses the abuse of accessible parking, ensuring that these spaces remain available for those who truly need them.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3135, 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. 2979 Judiciary on S.B. No. 3138

The purpose and intent of this measure is to clarify that the definition of "manufactured hemp products" includes hemp products specified in rules adopted by 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 Department of Agriculture and Hemptuary Hawaii.

Your Committee finds that Hawai'i retailers may only sell manufactured hemp products that comply with state regulations. However, the definition of "manufactured hemp product" was inadvertently amended by Act 263, Session Laws of Hawaii 2023, to be ambiguous and may read to limit the Department of Health rulemaking authority to regulate new types of hemp products as manufactured hemp products. This measure supports Hawai'i's emerging hemp industry by allowing the Department of Health to evaluate and consider additional types of hemp products to be legally manufactured and sold in the State.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3138, 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. 2980 Judiciary on S.B. No. 3243

The purpose and intent of this measure is to:

- (1) Prohibit foreign entities and foreign-influenced business entities from making contributions, expenditures, electioneering communications, or donations for election purposes;
- (2) Require every business entity that contributes or expends funds in a state election to file a statement of certification regarding its limited foreign influence; and
- (3) Require noncandidate committees making only independent expenditures to obtain a statement of certification from each top contributor required to be listed in an advertisement.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, Free Speech For People, International Longshore and Warehouse Union Local 142, Center for American Progress, and twenty-eight individuals.

Your Committee received comments on this measure from the Campaign Spending Commission.

Your Committee finds that campaign financing should ensure maximum participation by citizens in the political process. However, certain corporations and similar entities may prioritize the interests of shareholders, including investors around the world, which may diverge substantially from the policy goals and interests of the State's people. Your Committee further finds that prioritizing

transparency ensures the public's right to know who is using money to influence elections. This measure advances the State's clean election goals while preventing foreign influence with state 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. 3243, 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. 2981 (Majority) Judiciary on S.B. No. 2565

The purpose and intent of this measure is to:

- (1) Prohibit counties from prohibiting leashed dogs in public parks; and
- (2) Establish penalties for leaving dog excrement on public or private property.

Your Committee received testimony in support of this measure from one member of the Maui County Council, Hawaiian Humane Society, Kaua'i Humane Society, and seventeen individuals.

Your Committee received testimony in opposition to this measure from thirteen individuals.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that there are limited options where dog owners can safely walk their pets. County parks are some of the few places where bathroom facilities are available and easily accessible to the public. However, many county parks prohibit dogs, which requires owners to leave their dogs unattended while they use the public restroom and puts dogs at risk of being stolen. This measure will promote responsible dog ownership and support the health of people and pets in the State.

Your Committee has amended this measure by:

- (1) Deleting language that would have established redundant penalties for leaving dog excrement on public or private property;
- (2) Inserting a savings clause; 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. 2565, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2565, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Gabbard).

SCRep. 2982 Judiciary on S.B. No. 3137

The purpose and intent of this measure is to clarify and update the responsibilities of the Child and Adolescent Mental Health Division of the Department of Health to reflect the current mental health systems of care to address the mental health needs of children and adolescents in the State.

Your Committee received testimony in support of this measure from the Child & Adolescent Mental Health Division of the Department of Health, Office of Wellness and Resilience, Office of the Public Defender, Disability and Communication Access Board, State Council on Mental Health, and one individual.

Your Committee finds that there is an ongoing need for mental health services for the children and adolescents in the State. Your Committee further finds that over the past thirty years, the Child & Adolescent Mental Health Division has leveraged federal system of care grants to actively develop and improve the child and adolescent mental health service system of care in the State based on national standards and best practices. This measure clarifies and better communicates the actual responsibilities of the Child & Adolescent Mental Health Division to align with their most recent practices.

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. 3137, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3137, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 2983 Judiciary on S.B. No. 2762

The purpose and intent of this measure is to prohibit a landlord from renting or leasing, or offering to rent or lease, a dwelling unit in a rent-controlled county at a rate that exceeds the rate established by resolution adopted by the appropriate county council, subject to certain exceptions.

Your Committee received testimony in support of this measure from one member of the Maui County Council, Democratic Party of Hawai'i, Lāhainā Strong, UNITE HERE Local 5, Kaibigan ng Lāhaina, Hawai'i Alliance for Progressive Action, and sixty individuals.

Your Committee received testimony in opposition to this measure from the Grassroot Institute of Hawaii.

Your Committee received comments on this measure from the Hawai'i Association of REALTORS.

Your Committee finds that housing shortages and higher rental prices have risen in the aftermath of the August 2023 Maui wildfires. Your Committee further finds that when a community is impacted by a natural disaster, county councils are especially well-suited to determine whether, and at what rate, a rent ceiling should be established within its local jurisdiction. This measure allows certain counties to establish a rent ceiling through a resolution, which will protect vulnerable communities and advance basic societal interests of the State.

Your Committee has amended this measure by clarifying that the penalty for renting or leasing, or offering to rent or lease, a dwelling unit in a rent-controlled county at a rate that exceeds the rate established by resolution adopted by the appropriate county council is a misdemeanor.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2762, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2762, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (San Buenaventura). Noes, none. Excused, none.

SCRep. 2984 Judiciary on S.B. No. 2904

The purpose and intent of this measure is to amend the emergency management law to protect tenants, mortgagors, consumers, and residents for certain periods of time after the issuance of a gubernatorial or mayoral emergency proclamation.

Your Committee received testimony in support of this measure from the Hawai'i Emergency Management Agency; one member of the Maui County Council; Lāhainā Strong; We Are One, Inc.; Tagnawa; Hawai'i Alliance for Progressive Action; and fifty-five individuals.

Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS, Wailuku Federal Credit Union, Hickam Federal Credit Union, Hawaii Credit Union League, Maui Federal Credit Union, Hawaii State Federal Credit Union, Land Use Research Foundation of Hawaii, Valley Isle Community Federal Credit Union, Pearl Hawaii Federal Credit Union, Honolulu Federal Credit Union, Aloha Pacific Federal Credit Union, NAIOP Hawaii, Hawaiian Financial Federal Credit Union, Building Owners and Managers Association of Hawaii, Maui County Federal Credit Union, Consumer Data Industry Association, Hawaii Bankers Association, Big Island Federal Credit Union, and two individuals.

Your Committee received comments on this measure from the Department of the Attorney General, Division of Financial Institutions of the Department of Commerce and Consumer Affairs, Building Industry Association of Hawaii, and Hawaii Financial Services Association.

Your Committee finds that the unprecedented events of the August 2023 Maui wildfires have shown the need to offer emergency economic assistance to those directly impacted by devastating emergency situations. Your Committee further finds that it is imperative to provide all impacted parties with a comprehensive understanding of their rights and options before, during, and after an emergency, which includes ensuring that individuals are fully informed about their rights and available courses of action throughout the duration of a proclamation. This measure grants residential tenants, business and home owners, as well as other affected individuals, the right to manage their personal and business affairs in response to the event, allowing them to put their lives back in order amidst the emergency.

Your Committee has amended this measure by:

- (1) Clarifying that the Governor or mayor may declare that the mortgagee of a property in an area that is subject to an emergency proclamation is required to:
 - (A) Upon receipt of a request from a mortgagor of the property, defer the collection of mortgage payments for up to three years; and
 - (B) Upon receipt of a subsequent request from a mortgagor of the property, defer the collection of mortgage payments for up to an unspecified number of years for good cause;
- (2) Inserting language clarifying that a consumer reporting agency or user of a consumer report that receives a request to exclude consideration of certain adverse information from a person permitted to request the exclusion pursuant to an emergency proclamation is required to:
 - (A) Respond to the requestor within the time period prescribed by 15 U.S.C. §1681i; and
 - (B) Honor the person's request, or in the alternative, should federal law bar the consumer reporting agency or user of a consumer report from honoring the request, provide a written explanation identifying the basis for refusal;
- (3) Deleting language that would have prohibited an association, as defined in section 421J-2 or 514B-3, Hawaii Revised Statutes, from requiring any unit owner to purchase insurance for emergencies or disasters likely to be addressed by proclamations under chapter 127A, Hawaii Revised Statutes, except to the extent the association is authorized by the association's governing documents or applicable federal or state law; 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. 2904, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2904, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Elefante, San Buenaventura). Noes, none. Excused, none.

SCRep. 2985 Judiciary on S.B. No. 2397

The purpose and intent of this measure is to prohibit lessees who sell or transfer their interest in a Hawaiian Home Lands tract for personal gain from being placed on any subsequent waiting list maintained by the Department of Hawaiian Home Lands for an additional lease.

Your Committee received testimony in support of this measure from five individuals.

Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that native Hawaiian beneficiaries of the Department of Hawaiian Home Lands should be able to enter the Hawaiian Homes Commission Act Program with a reasonable expectation of obtaining a lease. However, certain native Hawaiian beneficiaries eligible for a lease pursuant to the Hawaiian Homes Commission Act 1920, as amended, acquired a lease, sold or transferred their interest in the lease, and then placed their name on the waiting list for a second lease of Hawaiian Home Lands, which has exacerbated the issue that many native Hawaiians have not received a lease offer. This measure ensures fairness in the distribution of leases to all beneficiaries.

Your Committee has amended this measure by:

- (1) Inserting an effective date of April 14, 2112, 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. 2397, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2397, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 2986 Judiciary on S.B. No. 2560

The purpose and intent of this measure is to require each lease that the Department of Agriculture (Department) enters into, renews, or extends after a certain date to contain provisions that allow the Department to:

- (1) Enter the premises at any time to identify, investigate, control, or eradicate invasive pests; and
- (2) Terminate the lease if the lessee:
 - (A) Refuses the Department entry; or
 - (B) Is found in violation of any applicable law, rule, or order relating to the control or eradication of invasive pests.

Your Committee received testimony in support of this measure from the Sierra Club of Hawai'i, Hawai'i Farm Bureau, and three individuals.

Your Committee received testimony in opposition to this measure from two individuals.

Your Committee received comments on this measure from the Department of Agriculture and Hawaii Cattlemen's Council, Inc.

Your Committee finds that invasive pests in the State have inflicted widespread and potentially irreversible damage. Invasive plants and wildlife have been found to overtake entire watersheds, impacting native habitats, increasing the State's vulnerability to natural disasters, and destroying nearshore reefs. Invasive parasites have impacted local food production, jeopardizing public health and aquatic ecosystems. Your Committee recognizes that stronger policies and investments are critical to mitigating damage caused by invasive pests. This measure will strengthen biosecurity protections by regulating lessees of agricultural lands to mitigate the spread of harmful invasive pests.

Your Committee has amended this measure by inserting an effective date of April 14, 2112, 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. 2560, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2560, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2987 Judiciary on S.B. No. 3363

The purpose and intent of this measure is to provide that a living beneficiary's place on the Department of Hawaiian Home Lands' waitlist for any residential or commercial agricultural tract may be designated for transfer to a successor if the living beneficiary dies before receiving an offer for a tract; provided that the successor shall be at least 1/32 Hawaiian.

Your Committee received testimony in support of this measure from Ho'omana Pono, LLC and one individual.

Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that the population of eligible native Hawaiian beneficiaries of the Department of Hawaiian Home Lands continues to decline, while the number of native Hawaiians on the Department of Hawaiian Home Lands' waitlist continues to grow.

This measure assists the Department of Hawaiian Home Lands' mission to develop and deliver land to native Hawaiians by recognizing the importance of succession rights of native Hawaiian beneficiaries.

Your Committee has amended this measure by:

- (1) Inserting an effective date of April 14, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3363, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3363, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 2988 Judiciary on S.B. No. 3089

The purpose and intent of this measure is to:

- (1) Require that licensed teachers have their license revoked by the Hawai'i Teacher Standards Board if the teacher is resigning or retiring during the pendency of any investigation into allegations of sexual assault, sexual harassment, or other physical abuse of a student;
- (2) Require a licensed teacher to surrender their license if the teacher retires or resigns from teaching before the completion of an investigation; and
- (3) Require the Hawai'i Teacher Standards Board to report the surrendered license to the National Association of State Directors of Teacher Education and Certification.

Your Committee received testimony in support of this measure from the Department of Education.

Your Committee received comments on this measure from the Department of the Attorney General and Hawai'i Teacher Standards Board.

Your Committee finds that the State's keiki deserve a high quality education in safe, protected learning environments. However, certain individuals who inflict harm or exploit their positions to take advantage of students jeopardize the safety of school communities. Further, certain individuals may resign or retire in lieu of termination, allowing them to continue abuse at another educational institution. Therefore, this measure implements an additional safeguard within the State's public schools to ensure the protection of children.

Your Committee has amended this measure by inserting an effective date of April 14, 2112, 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. 3089, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3089, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 2989 (Majority) Judiciary on S.B. No. 2405

The purpose and intent of this measure is to authorize an election candidate, treasurer, or candidate committee to use campaign funds for the candidate's 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, ACLU of Hawaii, Vote Mama Foundation, AAUW of Hawaii, Women's Caucus of the Democratic Party of Hawai'i, and one individual.

Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that balancing family obligations with a political campaign is a difficult task for many political candidates. Women, who are often caregivers, are disproportionately impacted by these challenges, and so are single parents. These individuals can face additional difficulty as political candidates if they lack access to child care. Existing law provides for candidates to utilize their campaign funds for a number of expenses, including donations to public schools and libraries, scholarships for higher education, and consumer goods for mixed benefit of the candidate. Therefore, this measure expands permissible uses of campaign funds to include child care to provide candidates an opportunity to engage in campaign activity in a fair and equitable way.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2405 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Gabbard).

SCRep. 2990 Judiciary on S.B. No. 2718

The purpose and intent of this measure is to allow the Hawaii Labor Relations Board to admit and consider hearsay evidence.

Your Committee received testimony in support of this measure from the Hawai'i Labor Relations Board.

Your Committee finds that existing law is contradictory with regard to whether the Hawaii Labor Relations Board is permitted to admit or consider hearsay evidence in its proceedings. While the Hawaii Labor Relations Board is prohibited from considering hearsay

evidence, there are a myriad of exceptions in the Hawaii Rules of Evidence that allow certain types of hearsay evidence to be admissible, meaning certain evidence could be properly introduced in any other court or administrative proceeding under a hearsay exception. This measure clarifies that the Hawaii Labor Relations Board is permitted to admit and consider hearsay evidence in its proceedings, which will level the playing field and provide a fair hearing for all parties involved.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2718, 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. 2991 Judiciary on S.B. No. 2637

The purpose and intent of this measure is to require the third meeting of a board to deliberate and act on a matter investigated by a group of its members to be held at least six days after the second meeting.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii.

Your Committee received comments on this measure from the Office of Information Practices and Public First Law Center.

Your Committee finds that existing law allows a government board to set up what is commonly called a permitted interaction group (PIG), of less than a quorum of members to work together outside the context of a board meeting to investigate an issue. This provision for an "investigatory" PIG requires three separate board meetings: the first to assign the PIG members and set the scope of their investigation and authority, the second to hear their report without discussion (at which point the PIG is effectively dissolved), and the third for the full board to discuss and perhaps take action on the issue the PIG investigated. However, on multiple occasions over the years, boards have attempted to circumvent the legislative intent to provide the public and the board with an opportunity to digest the report before any substantive discussions are held, by scheduling the second and third meetings back-to-back. This measure will set a clear standard for how much time must elapse between the meeting where an investigatory PIG reports and the meeting at which the board discusses and acts on the report, to prevent efforts to circumvent the requirements of existing law.

Your Committee has amended this measure by inserting an effective date of April 14, 2112, 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. 2637, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2637, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2992 (Majority) Judiciary on S.B. No. 2630

The purpose and intent of this measure is to:

- (1) Authorize pedestrians to act contrary to the Statewide Traffic Code when a reasonably careful pedestrian would determine that there is no immediate danger of a collision with a moving vehicle; and
- (2) Require that any person that drives a motor vehicle greater than the speed limit be fined not less than \$100.

Your Committee received testimony in support of this measure from one member of the Kaua'i County Council, Grassroot Institute of Hawaii, Hawai'i Public Health Institute, and five individuals.

Your Committee received testimony in opposition to this measure from the Keiki Injury Prevention Coalition.

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

Your Committee finds that jaywalking laws do not reduce pedestrian deaths or make streets safer. Additionally, jaywalking laws are disproportionately enforced against disadvantaged groups and minorities, with fines for pedestrians having a disproportionate impact on people who do not drive and who primarily rely on walking as a means of transportation. This measure will encourage more people to walk while making the streets friendlier to pedestrians.

Your Committee notes that the requirement that any person that drives a motor vehicle greater than the speed limit be fined not less than \$100 contained in section 3 of this measure may exceed the scope of the measure's title.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2630, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 2 (Elefante, Awa). Excused, none.

SCRep. 2993 Judiciary on S.B. No. 3154

The purpose and intent of this measure is to clarify that failure to comply with approved mitigation commitments, conduct an archaeological inventory survey, or comply with other administrative requirements pertaining to archaeology approved by the Department of Land and Natural Resources shall result in civil and administrative violations.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, and Historic Hawai'i Foundation.

Your Committee finds that regulation of archaeological activities is one of the specific purposes for which the Department of Land and Natural Resources State Historical Preservation Division was established. However, your Committee recognizes that the State

Historical Preservation Division does not have the resources to examine in the field whether historic property and burial site projects have complied with administrative requirements. This measure will provide the State Historical Preservation Division with stronger mechanisms with which to regulate archaeological activities in the State in order to protect historic properties and burial sites.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3154, 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. 2994 Judiciary on S.B. No. 2239

The purpose and intent of this measure is to:

- (1) Prohibit any person from advertising, displaying, or offering a price for a transient accommodation or resort time share vacation interest, plan, or unit that does not include all taxes and fees imposed by a government entity at the time of purchase;
- (2) Require a person to clearly and conspicuously display in each advertisement for a transient accommodation or resort time share vacation interest, plan, or unit a rate or price that includes all taxes and fees imposed by a government entity; and
- (3) Require any taxes and fees that are displayed as a percentage of the cost on a booking transaction to also be displayed as a dollar amount at the time of purchase.

Your Committee received testimony in support of this measure from the Office of Consumer Protection of the Department of Commerce and Consumer Affairs and one individual.

Your Committee received testimony in opposition to this measure from the Chamber of Progress, TechNet, and Expedia Group.

Your Committee received comments on this measure from the Hawai'i Tourism Authority and ARDA Hawaii.

Your Committee finds that while government-related taxes and fees may be itemized during the purchase process, consumers have a right to make informed purchases regarding the total price to be paid before a transaction commences. Your Committee also finds that there is national support to reduce and eliminate mandatory fees that often hide the full price of a good or service and surprise fees that consumers learn about after purchase. This measure will enable consumers to make informed decisions and purchases by requiring advertisers to be transparent.

Your Committee has amended this measure by:

- (1) Removing resort time share vacation interests and plans from the required pricing and advertisement disclosures;
- (2) Specifying that the required pricing and advertisement disclosures apply to the rental and letting of transient accommodations;
- (3) Specifying that the required disclosure of taxes and fees imposed by a government entity applies to those taxes and fees charged to a renter or guest;
- (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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2239, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2239, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 2995 Judiciary on S.B. No. 2450

The purpose and intent of this measure is to authorize the Department of Transportation to weigh any ocean transport container offloaded at any harbor in the State and fine any company that offloads an ocean transport container having an excessive gross weight.

Your Committee received comments on this measure from Matson Navigation Company, Inc.

Your Committee finds that the efficiency of a commercial harbor's supply chain is critical to ensure the flow of goods like food and necessary supplies. Given the critical role of the State's commercial harbors, it is imperative that the State support dependable and efficient cargo transportation and handling to service the State's residents and businesses. This measure will aid state harbors in the effective distribution of goods and supplies by outlining regulations that promote safety and efficiency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2450, 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. 2996 Judiciary on S.B. No. 2011

The purpose and intent of this measure is to allow the construction of multi-family dwelling units on any lot within certain designated county zoning districts, subject to reasonable standards adopted by each county.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, one member of the Maui County Council, Building Industry Association of Hawaii, Grassroot Institute of Hawaii, Maui Chamber of Commerce, and one individual.

Your Committee received testimony in opposition to this measure from the Office of the Mayor of the County of Maui and City and County of Honolulu Department of Planning and Permitting.

Your Committee finds that large scale housing developments often occur in “greenfield” developments, which require significant upfront costs for major infrastructure projects. Your Committee further finds that by creating opportunities to develop multi-family projects on all non-residential zoned lands in each county, developers will not incur large infrastructure costs if sufficient capacity is available at the project site and will be encouraged to develop more housing. This measure incentivizes the development of more housing in the State by alleviating the upfront infrastructure costs for housing development through allowing construction of multi-family dwelling units on land with existing infrastructure.

Your Committee has amended this measure by:

- (1) Inserting an effective date of April 14, 2112, 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. 2011, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2011, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Awa).

SCRep. 2997 (Majority) Judiciary on S.B. No. 3196

The purpose and intent of this measure is to:

- (1) Amend the prohibition on certain assault weapons to include assault rifles, assault shotguns, .50 caliber rifles, and assault weapon attachments;
- (2) Modernize the prohibition on assault pistols to include pistols with one or more prohibited feature;
- (3) Expand the ban on pistols with a detachable magazine with over a ten round capacity to any firearm with a detachable magazine with over a ten round capacity;
- (4) Prohibit persons from bringing or causing to be brought into the State an assault rifle or assault shotgun;
- (5) Prohibit the sale or transfer of an assault rifle or assault shotgun in the State, unless the assault rifle or assault shotgun is sold or transferred to an authorized individual; and
- (6) Create exceptions for the acquisition and possession of prohibited firearms for members of law enforcement and the military.

Your Committee received testimony in support of this measure from GIFFORDS; Everytown for Gun Safety; Hawai'i Chapter of Moms Demand Action for Gun Sense in America; Hawai'i Chapter of Students Demand Action for Gun Sense in America; Brady Campaign to Prevent Gun Violence Hawaii Chapter; Hawaii Friends of Civil Rights; League of Women Voters of Hawaii; Institute for Human Services, Inc.; Indivisible Hawaii; Hui Malama Pono Hawaii Foundation; Hawai'i State Coalition Against Domestic Violence; Hawaii Coalition to Prevent Gun Violence; North Hawaii Community Action Network; Church of the Crossroads; a form letter signed by more than one hundred individuals; and more than two hundred eighty individuals.

Your Committee received testimony in opposition to this measure from the National Rifle Association; National Association for Gun Rights; Firearms International, LLC; Hawaii Rifle Association; Hawaii Firearms Coalition; Hawaii Federation of Republican Women; Hawaii Hunters; Volcano Neighborhood Watch; Pu'uoloa Rifle and Pistol Club; SDM Training Group; Bows 'N Bullets; Maui Ammo and Gun Supply; S. Tokunaga Store Inc; Diamond Training Group, LLC; Hawaii Tactical Outfitter; Young Guns; 50th Holster Works; Koffin Wurks; Honolulu Sporting Goods, LLC; Red Letter Industries; Epowersports; and more than one thousand two hundred seventy-five individuals.

Your Committee received comments on this measure from the Honolulu Police Department and two individuals.

Your Committee finds that for decades, the State's leaders have prioritized the safety and well-being of the people in the State by enacting and implementing proactive, research-informed policy solutions that prevent gun violence, save lives, and spare communities from loss, trauma, and cycles of violence. However, the State's assault weapons ban fails to ban assault weapon attachments, such as large capacity magazines, and .50 caliber rifles. Your Committee believes that banning .50 caliber rifles and large capacity magazines is important because they are designed to be capable of mass violence and have a potential for mass murder that far outweighs any plausible use for hunting, recreation, or self-defense. This measure will reaffirm the State's commitment to protecting the safety and well-being of its citizens by strengthening the State's firearms laws to address the serious hazards to public safety posed by .50 caliber rifles and large capacity magazines.

Your Committee has amended this measure by:

- (1) Deleting language that would have, after July 8, 2024, prohibited a person from bringing or causing to be brought into the State an assault rifle or assault shotgun;
- (2) Deleting language that would have, after July 8, 2024, prohibited an assault rifle or assault shotgun from being sold or transferred to anyone within the State;

- (3) Deleting language that would have required a person who obtains title by bequest or intestate succession to an assault rifle or assault shotgun to, within ninety days, render the weapon permanently inoperable, sell or transfer the weapon to a licensed dealer or chief of police of any county, or remove the weapon from the State;
- (4) Deleting language that would have prohibited the manufacture, possession, barter, trade, gift, transfer, or acquisition of assault rifles or assault shotguns;
- (5) Restoring statutory language clarifying that the manufacture, possession, sale, barter, trade, gift, transfer, or acquisition of detachable ammunition magazines with a capacity in excess of ten rounds that are designed for or capable of use with a pistol is prohibited;
- (6) Inserting language prohibiting the manufacture, possession, sale, barter, trade, gift, transfer, or acquisition of detachable ammunition magazines with a capacity in excess of twenty rounds that are designed for or capable of use with any firearm other than a pistol, but excluding magazines originally designed to accept more than twenty rounds of ammunition which have been modified to accept no more than twenty rounds and which are not capable of being readily restored to a capacity of more than twenty rounds;
- (7) Inserting language clarifying that the mens rea requirement for a person violating the prohibitions against the manufacture, possession, sale, barter, trade, gift, transfer, or acquisition of certain firearms and firearm attachments is an intentionally or knowingly standard;
- (8) Deleting language that would have established exemptions for the acquisition and possession of assault rifles and assault shotguns;
- (9) Inserting a severability clause;
- (10) Inserting an effective date of April 14, 2112, to encourage further discussion;
- (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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3196, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3196, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 2 (Gabbard, Awa). Excused, none.

SCRep. 2998 Judiciary on S.B. No. 3226

The purpose and intent of this measure is to provide that a maximum time period to grant or deny a business or development-related permit, license, or approval shall only apply if a request for a contested case has not been filed or is required by law.

Your Committee received testimony in support of this measure from the Office of the Mayor of the City and County of Honolulu and Office of the Mayor of the County of Hawai'i.

Your Committee finds that Act 164, Session Laws of Hawaii 1998 (Act 164), enhanced the State's business environment to prevent administrative agency delays. However, Act 164 did not consider the applicable timeframe to grant or deny the permit, license, or approval when a contested case request has been made or is required by law. This measure clarifies that the maximum time period does not apply while the contested case process is proceeding.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3226, 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 (Gabbard).

SCRep. 2999 (Majority) Judiciary on S.B. No. 2129

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; Building Industry Association of Hawaii; Historic Hawai'i Foundation; and Stanford Carr Development, LLC.

Your Committee received testimony in opposition to this measure from the Mayor of the County of Maui; NAIOP Hawaii, and Society for Hawaiian Archaeology.

Your Committee finds that the current definition of "historic property" relies on the age of the property as the sole criteria for designation as a historic property. Your Committee further finds that this approach is unnecessarily broad and presumes that the age of the property equates to historic importance. This measure will develop a more nuanced approach by establishing criteria in addition to age for properties over fifty years old and less than one hundred years old.

Your Committee has amended this measure by inserting an effective date of April 14, 2112, 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. 2129, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2129, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Gabbard).

SCRep. 3000 (Majority) Judiciary on S.B. No. 2562

The purpose and intent of this measure is to:

- (1) Prohibit individuals without a valid unrevoked license obtained from the Hawaii Board of Veterinary Medicine from performing any surgical procedure on any animal;
- (2) Make performing any surgical procedure on any animal without a valid unrevoked license obtained from the Hawaii Board of Veterinary Medicine a class C felony; and
- (3) Make cropping and docking offenses of cruelty to animals in the first degree.

Your Committee received testimony in support of this measure from the Hawaiian Humane Society, Animal Welfare Institute, Animal Interfaith Alliance in Britain, and sixteen individuals.

Your Committee received testimony in opposition to this measure from the Department of Agriculture; Hawaii Cattlemen's Council, Inc.; Kealia Ranch LLC; Diamond B Ranch, LLC; PonoHolo Ranch, Limited; Hawaii Veterinary Medical Association; Kapapala Ranch; Dave's Piggery; 3B Livestock; and fifty-five individuals.

Your Committee received comments on this measure from the Hawaii Board of Veterinary Medicine.

Your Committee finds that the existing statute regarding animal cruelty contains a loophole that exempts non-veterinarians from facing penalties when performing surgical procedures on animals. Your Committee further finds that this loophole in the veterinary licensing statute has resulted in pet animals being injured by procedures conducted by inexperienced owners. This measure ensures the protection of pet animals from significant injury by clarifying and strengthening the statute banning unauthorized and unlicensed individuals from performing veterinary procedures on animals.

Your Committee has amended this measure by:

- (1) Inserting an effective date of April 14, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2562, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2562, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 3; Ayes with Reservations (San Buenaventura). Noes, 1 (Awa). Excused, 1 (Gabbard).

SCRep. 3001 Judiciary on S.B. No. 2937

The purpose and intent of this measure is to repeal the sunset date for the exemption of laboratory school programs of the College of Hawaiian Language at the University of Hawaii at Hilo from state English-medium standards, assessments, performance ratings, staff qualifications, and staff training requirements.

Your Committee received testimony in support of this measure from the University of Hawai'i at Hilo, Executive Office on Early Learning, Kūpuna for the Mo'opuna, 'Aha Pūnana Leo, Hawai'i Children's Action Network Speaks!, Ke Kula 'O Nāwahīokalani'ōpu'u, and nineteen individuals.

Your Committee finds that Ka Haka 'Ula O Ke'elikōlani, or the College of Hawaiian Language at the University of Hawaii at Hilo, is recognized worldwide as being the leader in indigenous education. This measure will address the shortage of Hawaiian-proficient certified teachers for state and charter elementary Hawaiian language programs and ensure the continuation of a laboratory school program, which is currently a Hawaiian-medium program, at the University of Hawaii at Hilo.

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. 2937, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2937, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3002 Judiciary on S.B. No. 2127

The purpose and intent of this measure is to allow an applicant to request a certified copy of the applicant's criminal background check and credit report from one landlord or the landlord's agent to provide to another landlord or that landlord's agent in lieu of paying a fee to cover the costs of obtaining another criminal background check or credit report.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs' Office of Consumer Protection.

Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS and one individual.

Your Committee received comments on this measure from the Maui Chamber of Commerce.

Your Committee finds that in a tight housing market, the costs of multiple applications for prospective tenants can result in significant economic hardship. Applicants may be required to submit multiple application fees to landlords or their agents who are using those fees to obtain similar information. This measure will reduce the financial burden of applying for rental units while reducing the work of landlords and their agents to obtain certain information.

Your Committee has amended this measure by:

- (1) Clarifying that a landlord or a landlord's agent is prohibited from charging an application fee for a criminal background check or credit report if the applicant provides a copy of the criminal background check or credit report that has not been falsely altered, instead of requiring the applicant to provide a certified copy;
- (2) Clarifying that upon request by the applicant, a landlord or the landlord's agent is required to provide the applicant a copy of the applicant's criminal background checks and credit reports that are less than thirty days old, instead of requiring the landlord or the landlord's agent to provide a certified copy;
- (3) Inserting language establishing that it is a violation, punishable by a fine of \$1,000, for an applicant to present a copy of the applicant's criminal background check or credit report that has been falsely altered;
- (4) Inserting language defining "falsely altered" to mean, in relation to a written instrument, a written instrument that has been changed, without the authority of the ostensible maker, drawer, or issuing commercial establishment, whether complete or incomplete, by means of erasure, obliteration, deletion, insertion of new matter, transposition of matter, or in any other manner, so that the instrument so altered falsely appears or purports to be in all respects an authentic creation of its ostensible maker, or authorized by the maker or issuing commercial establishment;
- (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. 2127, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2127, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 3003 (Majority) Judiciary on S.B. No. 3011

The purpose and intent of this measure is to prohibit any non-government entity or agent thereof from operating a weed whacker in or within one hundred feet of a residential zone, except between 8:00 a.m. and 7:00 p.m. on most days.

Your Committee received testimony in support of this measure from the Department of Health, Waikiki Neighborhood Board, and two individuals.

Your Committee received comments on this measure from one member of the Waikiki Neighborhood Board and one individual.

Your Committee finds that many residents and communities in the State are regularly disrupted by excessively loud weed whackers, especially in the early morning and late evening hours. This measure will improve public health and protect local communities from noise pollution and disturbance by restricting weed whacker use.

Your Committee has amended this measure by:

- (1) Inserting language exempting government entities, and agents acting on behalf of government entities, from the restrictions against using weed whackers during certain hours if the use occurs during an emergency as defined in section 127A-2, Hawaii Revised Statutes;
- (2) Clarifying that government entities, and agents acting on behalf of government entities, will remain exempt from the restrictions against using leaf blowers during certain hours; 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. 3011, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3011, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 3004 (Majority) Judiciary on S.B. No. 2120

The purpose and intent of this measure is to:

- (1) Require retail stores that sell pet animals to:
 - (A) Maintain records regarding the source and medical history of animals sold; and
 - (B) Provide records to pet purchasers, subject to the discretion of the retail pet store;
- (2) Impose penalties for violations; and
- (3) Authorize retail pet stores to showcase pet animals owned by a nonprofit animal welfare organization.

Your Committee received testimony in support of this measure from the Hawaiian Humane Society, Animal Interfaith Alliance in Britain, Animal Welfare Institute, and fifteen individuals.

Your Committee received testimony in opposition to this measure from Koolau Pets and eight individuals.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that although thirty-three states license commercial pet breeders, thirty-one states set minimum standards of care for breeders, and thirty states regulate the sale of puppies by pet stores, Hawai'i does not regulate the retail pet business. Your Committee recognizes that although there are responsible and ethical breeders who offer a transparent process to prospective pet owners, a lack of oversight on retail pet businesses contributes to animal and consumer health and welfare issues in the State. This measure not only promotes responsible and ethical practices of commercial pet breeders, but also protects pet animals in the State.

Your Committee has amended this measure by:

- (1) Clarifying that a retail pet store that fails to maintain records regarding the source and medical history of pet animals sold and provide records to pet purchasers commits a violation and is subject to a \$1,000 fine; and
- (2) Making 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. 2120, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2120, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Gabbard).

SCRep. 3005 (Joint) Ways and Means and Judiciary on S.B. No. 2617

The purpose and intent of this measure is to explore the possible creation of regulations relating to the sale of real property to favor owner-occupied resident ownership.

Specifically, the measure:

- (1) Requires the Legislative Reference Bureau to conduct a study on the “states in the country that have enacted laws limiting the sale of property to foreign individuals or entities, and how those laws and related constitutional precedents could inform demand-side regulations for the real estate market in Hawaii in favor of resident ownership, specifically owner-occupied resident ownership”;
- (2) Requires that the study, to the extent feasible, include:
 - (A) Descriptive information detailing the laws limiting the sale of property to foreign individuals or entities and the related constitutional precedents of each jurisdiction;
 - (B) Identified strengths and weaknesses of each particular legislative approach; and
 - (C) Recommendations on whether the laws enacted by other jurisdictions could be adapted for Hawaii, to favor owner-occupied resident ownership of real property in Hawaii or interests therein;
- (3) Requires the Legislative Reference Bureau to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025; and
- (4) Appropriates an unspecified sum of moneys to the Bureau to conduct the study.

Your Committees received written comments in support of this measure from three individuals.

Your Committees recognize that homeownership strengthens communities and is a critical component of the State's economy. Your Committees also recognize the problem of the shortage of affordable homes in the State, which is exacerbated by the purchasing power of affluent nonresidents, including noncitizens. Your Committees find it appropriate to study potential constitutional and other legal barriers to restrictions on real property sales to foreign individuals or entities.

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. 2617, 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 (Kanuha, Shimabukuro).
Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 3006 (Joint) Ways and Means and Judiciary on S.B. No. 3050

The purpose and intent of this measure is to authorize the Hawaii Community Development Authority to render services to, assist, and enter into cooperative arguments with state and county agencies upon request.

Your Committees received written comments in support of this measure from the Department of Land and Natural Resources and Hawaii Community Development Authority.

Your Committees find that authorizing the Hawaii Community Development Authority to provide services and assistance to other state and county agencies will promote government efficiency by allowing the Authority to share its experience and knowledge in master planning communities, infrastructure development and improvement, and project management.

Your Committees have amended this measure by changing the effective date to upon approval.

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. 3050, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3050, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Kanuha, Shimabukuro).

Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 3007 (Joint) Ways and Means and Judiciary on S.B. No. 2475

The purpose and intent of this measure is to protect students from individuals who have committed certain acts of misconduct.

Specifically, the measure:

- (1) Establishes a harm to students registry for all prekindergarten through grade twelve educational institutions within the State to report instances of acts by school personnel or volunteers that demonstrate harm to students;
- (2) Establishes qualified immunity for any employer who provides any good-faith information or opinion on a current or former employee's employment performance; and
- (3) Requires the Hawaii Teacher Standards Board to revoke the licenses of certain individuals who have resigned or retired during a pending investigation into allegations of sexual assault or sexual harassment.

Your Committees received written comments in support of this measure from the Department of Education, Executive Office on Early Learning, Early Learning Board, Kamehameha Schools, Hawaii Association of Independent Schools, and Punahou School.

Your Committees received written comments on this measure from the Department of Human Services, Department of the Attorney General, Office of Information Practices, Hawaii Teacher Standards Board, and State Public Charter School Commission.

Your Committees recognize that in recent years, the safety and security of Hawaii's schoolchildren have sometimes been violated by nefarious school employees. All too often, the offending employees seek and obtain employment at other schools. Your Committees find that a system that facilitates investigations and the sharing of information between educational institutions, as contemplated by this measure, will help ensure safer learning environments and hold irresponsible individuals accountable.

Your Committees have amended this measure by:

- (1) Clarifying that certain information shall be exempt only from the disclosure requirements of the Uniform Information Practices Act (Chapter 92F, Hawaii Revised Statutes);
- (2) Providing that the third member of the Superintendent of Education's temporary commission shall be a representative of private schools located in the State, as invited by the superintendent; provided that the right of first refusal to serve on the commission shall go to the Executive Director of the Hawaii Association of Independent Schools or the Executive Director's designee;
- (3) Providing that the Department of Education may share information from the harm to students registry with the Department of Human Services;
- (4) Deleting language relating to exemptions from criminal liability for good faith reporters;
- (5) Deleting language that would have required that a person's resignation or retirement during an investigation automatically result in the revocation of the person's teaching license and placement of the person on the harm to student registry;
- (6) Clarifying teacher license surrender provisions relating to any person who retires or resigns before the completion of an investigation; and
- (7) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2475, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2475, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 13. Noes, none. Excused, none.

Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 3008 Ways and Means on S.B. No. 2553

The purpose and intent of this measure is to promote retirement savings for employees in the private sector.

Specifically, this measure:

- (1) Requires covered employers to automatically enroll their covered employees into the Hawaii Retirement Savings Program unless the employee opts out of enrollment; and
- (2) Clarifies the definition of "covered employer" under the Hawaii Retirement Savings Act.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations, Executive Office on Aging, AARP Hawaii, Hawaii Family Caregiver Coalition, Hawaii Primary Care Association, and eleven individuals.

Your Committee received written comments on this measure from the Retail Merchants of Hawaii and Maui Chamber of Commerce.

Your Committee finds that establishing automatic enrollment in the Hawaii Retirement Savings Program will increase participation, align Hawaii's law with laws of other states requiring automatic enrollment in similar savings programs, and greatly increase the viability of the program by ensuring a sufficient number of participants.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2553, 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. 3009 Ways and Means on S.B. No. 2079

The purpose and intent of this measure is to authorize the electronic distribution, completion, and transmittal of the Hawaii State Plant and Animal Declaration Form.

Your Committee received written comments in support of this measure from the Office of the Lieutenant Governor; Department of Business, Economic Development, and Tourism; Airlines for America; Alaska Airlines; Hawaii Farm Bureau; and SMS Research and Marketing Services, Inc.

Your Committee received written comments on this measure from the Department of Agriculture.

Your Committee finds that the Hawaii State Plant and Animal Declaration Form helps to prevent harmful pests from being transported into Hawaii's unique environment and communities. Your Committee recognizes that many travelers entering the State would prefer to complete an electronic version of the Plant and Animal Declaration Form on their personal electronic devices. However, it is unclear whether electronic forms are permitted under existing law. Your Committee believes that clarifying the law to allow people to complete the form electronically will make the plant and animal declaration process more efficient.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2079 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3010 Ways and Means on S.B. No. 2659

The purpose and intent of this measure is to reduce the negative impacts of tourism in the State.

Specifically, this measure:

- (1) Incorporates a regenerative tourism framework into the Hawaii State Planning Act by expanding objectives and policies for the tourism industry;
- (2) Requires the Hawaii Tourism Authority to prepare and periodically update the Tourism Functional Plan to include the updated tourism economic goals, Hawaii Tourism Authority's strategic plan, and Hawaii 2050 Sustainability Plan; and
- (3) Requires an updated Tourism Functional Plan to be submitted to the Legislature prior to the convening of the Regular Session of 2025.

Your Committee received written comments in support of this measure from the Hawaii Tourism Authority and Office of Planning and Sustainable Development.

Your Committee finds that the incorporation of a regenerative tourism framework into state planning objectives and policies will help to maintain a high-quality visitor experience while counterbalancing many of the social, economic, and environmental impacts of tourism.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2659, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3011 Ways and Means on S.B. No. 3361

The purpose and intent of this measure is to include oilseed cover crops, such as camelina, carinata, pennycress, and sunflower, among the crops for which the costs of acquisition may be reimbursed to farming operations pursuant to the three-year cover crop reimbursement pilot program.

Your Committee received written comments in support of this measure from the Biotechnology Innovation Organization; Hawaii Farm Bureau; Pacific Biodiesel Technologies, LLC; and two individuals.

Your Committee recognizes that Act 312, Session Laws of Hawaii 2022, established the cover crop reimbursement pilot program to provide farming operations with an incentive to use land management practices that enhance the quality and sustainability of agricultural lands. Your Committee also recognizes that oilseed cover crops may be used to produce renewable energy and increase pollinator health and biodiversity. Your Committee finds that including oilseed cover crops in the cover crop reimbursement pilot program is appropriate, as those crops will both increase agricultural productivity and further the State's agricultural sustainability goals.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3361 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3012 (Joint/Majority) Judiciary and Ways and Means on S.B. No. 2443

The purpose and intent of this measure is to:

- (1) Establish the Automated Speed Enforcement Systems Program for ten school zones;
- (2) Authorize the state or counties to administer the Automated Speed Enforcement Systems Program;
- (3) Require fines collected beginning January 1, 2025, for violations on a county highway to be expended for the operation of the Automated Speed Enforcement Systems Program;
- (4) Create a new offense of noncompliance with the posted speed limit under the Automated Speed Enforcement System; and
- (5) Appropriate funds.

Your Committees received testimony in support of this measure from the Department of Transportation, Disability and Communication Access Board, Department of Transportation Services of the City and County of Honolulu, Oahu Metropolitan Planning Organization, and two individuals.

Your Committees received testimony in opposition to this measure from the Office of the Public Defender and two individuals.

Your Committees received comments on this measure from the Judiciary and Department of Budget and Finance.

Your Committees find that pedestrians and other roadway users are increasingly at risk of bodily harm due to the prevalence of drivers speeding and violating other state traffic laws. According to the Department of Transportation, speeding has been one of the top contributing factors in motor vehicle fatalities for the past decade. Due to the dangers of speeding to pedestrians, your Committees recognize the need for automated speed enforcement cameras, which can be powerful tools to reduce motor vehicle crashes and fatalities. This measure will ensure the safety of pedestrians by establishing an Automated Speed Enforcement Systems Program.

Your Committees have amended this measure by:

- (1) Inserting language specifying that:
 - (A) The procedures regarding answering, court hearings, and court actions in chapter 291D, Hawaii Revised Statutes, apply to summons or citations issued under the Automated Speed Enforcement Systems Program;
 - (B) It is not a defense of any citation issued under the Automated Speed Enforcement Systems Program that another person was driving the defendant's motor vehicle at the time of the incident, unless the motor vehicle was stolen as documented by a police report; and
 - (C) Any reference to the defendant's commission of the traffic infraction or similar language must be interpreted to mean commission of the traffic infraction;
- (2) Deleting language that would have allowed the owner of a vehicle cited under the Automated Speed Enforcement Systems Program to present certain evidence to rebut the violation;
- (3) Clarifying that the registered owner is strictly liable for a speeding violation; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2443, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2443, S.D. 2.

Signed by the Chairs on behalf of the Committees.
Judiciary: Ayes, 4; Ayes with Reservations (San Buenaventura). Noes, 1 (Awa). Excused, none.
Ways and Means: Ayes, 11; Ayes with Reservations (Kim). Noes, none. Excused, 2 (Kanuha, Shimabukuro).

SCRep. 3013 (Joint) Judiciary and Ways and Means on S.B. No. 3237

The purpose and intent of this measure is to:

- (1) Facilitate the control and eradication of invasive species and pests;
- (2) Establish a plant nursery licensing program;
- (3) Require the Department of Agriculture to designate certain species as pests for control or eradication;
- (4) Impose certain limits on imports and transportation; and
- (5) Update the method by which the Department of Agriculture's noxious weed list is updated.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, one member of the Hawai'i County Council, 'Ahahui o nā Kauka, Kua'āina Ulu 'Auamo, Conservation Council for Hawai'i, Boys and Girls Club of Hawaii, Sierra Club of Hawai'i, Livable Hawaii Kai Hui, Coordinating Group on Alien Pest Species, Council for Native Hawaiian Advancement, Ahahui Mālama I Ka Lokahi, Hawaii Environmental Restoration, Ka Ohana O Na Pua, and sixty individuals.

Your Committees received testimony in opposition to this measure from the Department of Agriculture; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and one individual.

Your Committees received comments on this measure from the Department of the Attorney General, Big Island Invasive Species Committee, Hawai'i Forest Industry Association, Hawai'i Farm Bureau, and one individual.

Your Committees find that the State has one of the highest levels of endemism in both its native animals and plants, encompassing one of the highest levels of biodiversity in the world. However, the presence of invasive plant and animal species threatens native ecosystems and has contributed to a significant loss of endemic birds, plant species, and other organisms. Due to the State's geographic isolation, many plant and animal species have not evolved adaptations to new threats, including invasive species. Therefore, this measure strengthens the State's regulation on imported plant species to prioritize natural resource management and protection of native species.

Your Committees acknowledge the legitimate concerns raised by the Department of the Attorney General and the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, regarding amendments that are needed to ensure passage through the legislative process. Accordingly, your Committees respectfully request subsequent Committees to address this concern.

Your Committees have amended this measure by:

- (1) Inserting an effective date of April 14, 2112, 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. 3237, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3237, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 11; Ayes with Reservations (Inouye). Noes, none. Excused, 2 (Kanuha, Shimabukuro).

SCRep. 3014 (Joint) Judiciary and Ways and Means on S.B. No. 2919

The purpose and intent of this measure is to:

- (1) Allow the counties to regulate by zoning ordinance the time, place, manner, and duration in which uses of land structures may take place;
- (2) Allow the counties to amortize or phase out transient accommodations uses in residential or agricultural zoned areas; and
- (3) Expand the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations.

Your Committees received testimony in support of this measure from one member of the Maui County Council, Housing Hawai'i's Future, Lāhainā Strong, ILWU Local 142, UNITE HERE Local 5, Hawaii Hotel Alliance, Hawai'i's Thousand Friends, American Hotel and Lodging Association, Hawai'i Lodging and Tourism Association, Keep it Kailua, and forty-four individuals.

Your Committees received testimony in opposition to this measure from GL Robinson Inc; Luana Cottage LLC; Hawai'i Association of REALTORS; Maui Miracle LLC; REALTORS Association of Maui, Inc.; Serendipity Associates; Hawai'i Island REALTORS; Honolulu Board of REALTORS; Attention to Detail Maui LLC; Hawai'i Mid and Short-Term Rental Alliance; Rosie's Rentals; Tisuli Property Group LLP; Papakea; Tropica USA Corp.; Maui Vacation Rental Association; Maui Chamber of Commerce; Kama'āina Occupied Short-Term Rentals O'ahu; Airbnb; O'ahu Short-Term Rental Alliance; Wailea Ekahi Gardens 52D LLC; BRX Rentals Inc.; Rental by Owners Awareness Association; Kinas Maui Condo Rentals LLC; and more than five hundred twenty individuals.

Your Committees received comments on this measure from the Department of Taxation, Land Use Commission, Grassroot Institute of Hawaii, Maui Eldorado Kaanapali, and three individuals.

Your Committees find that not only do short-term rentals disrupt the State's traditional and economically indispensable lodging industries, they also disrupt the character and fabric of residential neighborhoods. Short-term rentals that may not violate land use designations must be regulated so that transactions mutually benefit clients and community members alike. This measure promotes the orderly development of each county and ensures the greatest benefit to the State as a whole by creating a comprehensive regulatory scheme for short-term rentals of dwelling units and enhancing the zoning powers of the counties to eliminate future nonconforming uses over time.

Your Committees have amended this measure by:

- (1) Making the expanded scope of transient accommodations, that includes certain shelters and vehicles with sleeping accommodations, take effect on 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 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. 2919, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2919, 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 (Kanuha, Shimabukuro).

SCRep. 3015 Ways and Means on S.B. No. 2170

The purpose and intent of this measure is to establish a regulatory framework for combat sports contests to replace the regulatory frameworks for boxing contests and mixed martial arts contests.

More specifically, this measure:

- (1) Renames the State Boxing Commission as the Combat Sports Commission of Hawaii;
- (2) Clarifies the scope, makeup, powers, duties, and jurisdiction of the Combat Sports Commission of Hawaii;
- (3) Establishes a regulatory framework for professional combat sports contests;
- (4) Repeals Chapter 440E, Hawaii Revised Statutes, which regulated mixed martial arts contests; and
- (5) Appropriates moneys to fund 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 written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Commerce and Consumer Affairs; Mayor of the County of Hawaii; and three individuals.

Your Committee received written comments on this measure from one individual.

Your Committee finds that regulating, and establishing a commission to oversee, combat sports contests in the State will help to protect the safety and well-being of combat sports athletes while promoting the professional combat sports industry 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 S.B. No. 2170, 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. 3016 Ways and Means on S.B. No. 2770

The purpose and intent of this measure is to authorize the counties to establish a program that allows an annual payment in lieu of real property taxes on land or improvements that are used to produce or store renewable energy.

Your Committee received written comments in support of this measure from the Hawaii State Energy Office, City and County of Honolulu Department of Budget and Fiscal Services, Longroad Energy, Ulupono Initiative, Hawaii Solar Energy Association, Hawaiian Electric, and one individual.

Your Committee finds that the opt-in program authorized by this measure will help support the State's renewable energy goals by providing financial certainty to renewable energy producers under long-term power purchase contracts, while also minimizing lost revenues for the counties.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2770 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3017 Ways and Means on S.B. No. 3060

The purpose and intent of this measure is to better assess the risk to the State from climate change.

Specifically, this measure:

- (1) Requires the Office of Planning and Sustainable Development to develop and publish a statewide climate adaptation and resilience implementation plan; and
- (2) Appropriates moneys to the Office of Planning and Sustainable Development to establish three full-time equivalent positions and pay for certain expenses.

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; Democratic Party of Hawaii; and Hawaii Food Industry Association.

Your Committee finds that Hawaii faces substantial financial risks due to climate change, including infrastructure damage, financial losses, and negative impacts to agriculture and fisheries. Your Committee further finds that although many specific plans relating to climate adaptation have been published, there is currently no statewide climate adaptation and resilience implementation plan that assesses the overall financial risk to the State associated with climate change.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3060, 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. 3018 Ways and Means on S.B. No. 3265

The purpose and intent of this measure is to promote the continued development of the state film industry.

More specifically, this measure:

- (1) Establishes the Hawaii Film Advisory Council;
- (2) Amends the Motion Picture, Digital Media, and Film Production Income Tax Credit to:
 - (A) Increase the aggregate cap amount from \$50,000,000 to \$60,000,000;
 - (B) Extend the sunset date of the tax credit to January 1, 2039;
 - (C) Clarify the requirements for an independent third-party certification; and
 - (D) Expand the definition of “qualified production” to include streaming platforms;
- (3) Provides a general excise tax exemption for certified development of film studio facilities; and
- (4) Makes an appropriation for the establishment of one full-time equivalent (1.0 FTE) film industry development liaison within the Creative Industries Division of the Department of Business, Economic Development, and Tourism.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; University of Hawaii; Honolulu Film Office; Kauai Film Commission; Hawaii International Film Festival; Hawaii Lodging and Tourism Association; Hawaii Media, Inc.; Hawaii State AFL-CIO; IATSE Local 665; Island Film Group; SAG-AFTRA Hawaii Local; and twenty-four individuals.

Your Committee received written comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that economic diversification is crucial to the resiliency of the State. Your Committee also finds that the film production industry contributes to the State’s small businesses and public educational institutions, and aids in marketing the State as a visitor destination. Your Committee believes that this measure incentivizes film production in the State, as well as the building of much needed infrastructure.

Your Committee has amended this measure by:

- (1) Changing the aggregate cap amount of the Motion Picture, Digital Media, and Film Production Income Tax Credit to an unspecified amount;
- (2) Amending the definition of “qualified production costs” under the Motion Picture, Digital Media, and Film Production Income Tax Credit to include fashion production and music production costs;
- (3) Changing the amount of the appropriation for the full-time equivalent employee from \$130,000 to an unspecified amount; and
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3265, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3265, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3019 (Joint) Judiciary and Ways and Means on S.B. No. 2520

The purpose and intent of this measure is to:

- (1) Require the State to 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, or failing to cooperate;
- (2) Clarify that the employee may employ their own attorney at the employee’s own expense; and
- (3) Require that if the State refuses to defend a state employee from civil actions on certain grounds, the Attorney General shall first work with the employee to amicably transfer representation to the replacement counsel, and if necessary, file a motion to withdraw as counsel as a confidential document.

Your Committees received testimony in support of this measure from the Hawaii Association for Justice; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Hawaii State AFL-CIO.

Your Committees find that currently state employees are not supported if they face civil action even if the employee’s actions are within the scope of employment. Your Committees further find that it is critical to appropriately balance the protection of a resident’s rights while providing protection to state employees if legal issues arise. This measure will prevent undue stress and financial burdens on state employees by providing protections if an employee faces civil action due to actions conducted in their capacity as a public employee.

Your Committees have amended this measure by clarifying that if the Attorney General and state employee cannot amicably transfer representation, the Attorney General shall file a motion to withdraw as counsel, regardless of any determination as to whether a motion to withdraw as counsel is required to be filed.

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. 2520, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2520, 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 (Kanuha, Shimabukuro).

SCRep. 3020 (Joint) Judiciary and Ways and Means on S.B. No. 2351

The purpose and intent of this measure is to:

- (1) Require the Workforce Development Council and local workforce development boards to develop written conflict of interest policies consistent with federal law and regulations;
- (2) Require the Governor to select the Chairperson of the Council from among the seventeen private sector members;
- (3) Require the Workforce Development Council to assist the Governor in coordinating local workforce development boards to improve the workforce development system; and
- (4) 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 IATSE Local 665.

Your Committees received testimony in opposition to this measure from the Department of Labor and Industrial Relations.

Your Committees find that Act 88, Session Laws of Hawaii 2021, eliminated the program identification number for the Hawaii Workforce Development Council and transferred its appropriation and positions to the Workforce Development Division of the Department of Labor and Industrial Relations. Your Committees believe that the Hawaii Workforce Development Council performs essential functions in assisting the Governor by serving as a planning and policy advisor to the Governor on workforce issues and is a primary architect of overall state workforce strategy. Your Committees additionally find that in order to conform to the Workforce Innovation and Opportunity Act and related Code of Federal Regulations, the Workforce Development Council should be renamed the Hawaii Workforce Development Board, therefore amendments to this measure are necessary.

Your Committees have amended this measure by:

- (1) Renaming the "Hawaii Workforce Development Council" the "Hawaii Workforce Development Board" and replacing the terms "workforce development council" or "council" with "workforce development board" or "board" as necessary;
- (2) Requiring the Governor to appoint the Chairperson of the Hawaii Workforce Development Board from among all of the members, instead of from among only the seventeen private sector members;
- (3) Deleting language that would have exempted the Executive Director of the Hawaii Workforce Development Board from chapter 89, Hawaii Revised Statutes;
- (4) Restoring statutory language that allows the Hawaii Workforce Development Board to hold hearings as the Board may deem advisable;
- (5) Restoring statutory language that allows the Hawaii Workforce Development Board to administer funds allocated for its work and accept, disburse, and allocate funds which may become available from other governmental and other private sources;
- (6) Inserting language restoring and transferring to the Hawaii Workforce Development Board the program identification number and positions that were transferred to the Workforce Development Division of the Department of Labor and Industrial Relations from the Hawaii Workforce Development Council by Act 88, Session Laws of Hawaii 2021;
- (7) Inserting a blank appropriation amount for an unspecified number of positions within the Hawaii Workforce Development Board;
- (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.

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. 2351, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2351, 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. 3021 (Joint) Judiciary and Ways and Means on S.B. No. 2615

The purpose and intent of this measure is to authorize the counties to adopt labor standards that include but are not limited to standards for living wages, benefits, and requirements for participation in state-approved apprenticeship programs; provided that the labor standards adopted by the counties do not directly conflict with labor standards established by the State.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations, Office of the Mayor of the City and County of Honolulu, one member of the Kaua'i County Council, one member of the Honolulu City Council, one member of the Maui County Council, Pacific Resource Partnership, Hawaii Harbors Users Group, and Hawaii Regional Council of Carpenters.

Your Committees received testimony in opposition to this measure from the Maui Chamber of Commerce and Retail Merchants of Hawaii.

Your Committees find that labor violations harm the State's local workforce and their livelihoods. Your Committees further find that some businesses deploy "underground economy" schemes to obscure or distort their responsibilities as employers to comply with regulatory requirements, including those related to wages, payroll taxes, insurance, licensing, and safety. Granting the counties the capacity to adopt labor standards empowers them to protect and ensure the well-being of workers and their families. This measure provides the counties an opportunity to cultivate positive change while instituting fair labor standards and practices.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2615, 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 (Kanuha, Shimabukuro).

SCRep. 3022 Ways and Means on S.B. No. 2527

The purpose and intent of this measure is to promote development of the high technology industry in the State.

More specifically, this measure:

- (1) Temporarily reinstates the Technology Infrastructure Renovation Tax Credit;
- (2) Amends the definition of "renovation costs" to include the repair, replacement, monitoring, and testing of technology-enabled infrastructure machinery; and
- (3) Expands the definition of "technology-enabled infrastructure" to include data servers.

Your Committee received written comments in support of this measure from Charter Communications, Hawaiian Electric, Hawaiian Telcom, and Servpac.

Your Committee received written comments on this measure from the Department of Taxation, Chamber of Commerce Hawaii, and Tax Foundation of Hawaii.

Your Committee finds that upgrading and modernizing equipment necessary for data storage will improve resilience against physical damage caused by weather-related events and cybersecurity threats, and will ensure the continued, uninterrupted provision of services to Hawaii businesses, state government, satellite agencies, and residents. Your Committee believes that this measure will promote the development of the high technology industry in the State and yield greater investment from within and outside of 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. 2527, 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. 3023 Ways and Means on S.B. No. 2768

The purpose and intent of this measure is to require the Hawaii State Energy Office to adopt rules establishing a clean fuel standard for gasoline and diesel fuel in the State.

Your Committee received written comments in support of this measure from Clean Energy, Neste, Biotechnology Innovation Organization, Clean Fuel Hawaii, Island Energy Services, and Simonpietri Enterprises.

Your Committee received written comments on this measure from the Hawaii State Energy Office, Par Hawaii, and one individual.

Your Committee finds that the clean fuel standard required by this measure will help decarbonize Hawaii's transportation fuels and aligns with the State's goal of achieving one hundred percent clean energy by 2045.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2768, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3024 Ways and Means on S.B. No. 2182

The purpose and intent of this measure is to make permanent the Ocean Stewardship Special Fund.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Kuaaina Ulu Auamo, Nature Conservancy, Sierra Club of Hawaii, and one individual.

Your Committee received written comments in opposition to this measure from the Ocean Tourism Coalition.

Your Committee finds that Hawaii's ocean waters and marine resources are some of the State's most ecologically, economically, and culturally valuable environmental assets. Your Committee further finds that Act 46, Session Laws of Hawaii 2021, created the Ocean Stewardship Special Fund to provide a sustainable funding source for the conservation, restoration, enhancement, and management of the State's marine resources. Your Committee finds that making the special fund permanent will ensure that fees paid by ocean users will continue to be used for ongoing conservation efforts.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2182 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3025 Ways and Means on S.B. No. 3360

The purpose and intent of this measure is to incentivize locally grown, produced, generated, or collected renewable fuel.

More specifically, this measure amends the Renewable Fuels Production Tax Credit by:

- (1) Changing the cap amount from \$3,500,000 to seventy-five per cent of the aggregate cap amount;
- (2) Changing the aggregate cap amount from \$20,000,000 to an unspecified amount;
- (3) Changing the credit period from ten consecutive years to an unspecified number of years;
- (4) Establishing an additional tax credit for renewable fuels produced from renewable feedstock locally grown or recycled in the State;
- (5) Establishing an additional tax credit for renewable fuels produced with lifecycle greenhouse gas emissions that are at least seventy-five per cent below that of fossil fuels; and
- (6) Defining the terms “lifecycle greenhouse gas emissions” and “locally grown”.

Your Committee received written comments in support of this measure from the Biotechnology Innovation Organization; Hawaii Farm Bureau; Hawaii Forest Industry Association; Island Energy Services; Pacific Biodiesel Technologies, LLC; Par Hawaii; Pono Pacific Land Management, LLC; 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 the Attorney General, Department of Taxation, Hawaii State Energy Office, Airlines for America, Environmental Caucus of the Democratic Party of Hawaii, Hawaiian Airlines, and Tax Foundation of Hawaii.

Your Committee finds that, in order for electric utility companies to meet the renewable portfolio standards required by section 269-92(a), Hawaii Revised Statutes, each electric utility company’s renewable portfolio standard must include sufficient locally sourced firm, renewable energy sources to offset the intermittent nature of wind- and solar-powered renewable energy. Your Committee also finds that, to ensure sustainable inventories of these energy sources, long-term planning that includes incentives are essential for investment and development of locally sourced firm, renewable energy production.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3360, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12; Ayes with Reservations (Wakai). Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3026 (Majority) Ways and Means on S.B. No. 3157

The purpose and intent of this measure is to encourage the productive use of public lands.

Specifically, this measure authorizes the use of direct negotiation to dispose of public land leases for agricultural, commercial, industrial, resort, and hotel purposes.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources.

Your Committee received written comments in opposition to this measure from UNITE HERE Local 5 and League of Women Voters of Hawaii.

Your Committee received written comments on this measure from a member of the Hawaii County Council.

Your Committee finds that the public auction process that is normally used to dispose of leases has become protracted, cumbersome, and uncertain, to the extent that it discourages participation by potential lessees. As a result, certain state properties have remained vacant, generating no income and serving no public benefit, while in some cases incurring management costs for the Department of Land and Natural Resources.

Your Committee has amended this measure by:

- (1) Providing that only public lands that do not qualify for disposition under section 171-59(a), Hawaii Revised Statutes, are eligible for disposition by negotiation under section 171-59(b), Hawaii Revised Statutes;
- (2) Requiring the Board of Land and Natural Resources to approve the disposition;
- (3) Correcting the text of section 171-59(b), Hawaii Revised Statutes, to reflect the printed version of the Hawaii Revised Statutes; and
- (4) Changing the effective date to July 1, 2024.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3157, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3157, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, 1 (Fevella). Excused, 1 (Shimabukuro).

SCRep. 3027 Ways and Means on S.B. No. 2305

The purpose and intent of this measure is to establish and appropriate moneys for a Silver Alert Program within the Department of Law Enforcement to help locate and safeguard missing persons who are sixty-five years of age or older, cognitively impaired, or developmentally disabled.

Your Committee received written comments in support of this measure from the Department of Law Enforcement, Department of Human Services, Executive Office on Aging, Hawaii State Council on Developmental Disabilities, United Public Workers, Catholic Charities Hawaii, Hawaii Primary Care Association, Gimme A Break, Kokua Council, Papa Ola Lokahi, Alzheimer's Association, UNITE HERE Local 5, Chamber of Commerce Hawaii, AARP Hawaii, Hawaii Disability Rights Center, Hawaii Teamsters 996, Hawaii Family Caregiver Coalition, Easterseals Hawaii, Hawaii Public Health Institute, Hawaii Medical Service Association, Hawaii Government Employee Association, Hawaii Public Health Association, Oahu Search and Rescue, Association of Hawaiian Civic Clubs, and numerous individuals.

Your Committee finds that silver alerts have proven effective in thirty-seven other states. Establishing a Silver Alert Program in Hawaii will help law enforcement officers locate and protect the elderly and other vulnerable persons in the State who are missing.

Your Committee has amended this measure by changing the appropriation to an unspecified sum, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2305, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2305, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3028 Ways and Means on S.B. No. 3109

The purpose and intent of this measure is to ensure that the efforts under Act 279, Session Laws of Hawaii 2022 (Act 279), to reduce the number of applicants on the Department of Hawaiian Home Lands waitlist comply with applicable provisions of the Hawaii State Constitution.

Your Committee received written comments in support of this measure from the Department of Hawaiian Home Lands, Department of Budget and Finance, and two individuals.

Your Committee received written comments on this measure from the Tax Foundation of Hawaii.

Your Committee recognizes that the appropriation made by Act 279 does not comply with Article VII, section 11, of the Hawaii State Constitution, which provides that appropriations for which the source is general funds shall not be made for a period exceeding three years. Your Committee finds that this measure proposes an appropriate solution to this issue by correcting Act 279's original general fund appropriation lapse date and making a new appropriation for fiscal year 2024-2025.

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. 3109, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3109, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3029 Ways and Means on S.B. No. 2764

The purpose and intent of this measure is to transfer the King Kamehameha Celebration Commission and State Foundation on Culture and the Arts to the Department of Business, Economic Development, and Tourism.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism, Department of Accounting and General Services, Hawaii International Film Festival, and one individual.

Your Committee received written comments in opposition to this measure from SAG-AFTRA Hawaii Local, IATSE Local 665, and two individuals.

Your Committee received written comments on this measure from the State Foundation on Culture and the Arts.

Your Committee finds that the King Kamehameha Celebration Commission and State Foundation on Culture and the Arts are currently housed within the Department of Accounting and General Services. Your Committee further finds that transferring the Commission and Foundation to the Department of Business, Economic Development, and Tourism will improve administrative efficiency and facilitate the operations of the transferred entities.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2764, 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. 3030 Ways and Means on S.B. No. 3126

The purpose and intent of this measure is to improve access to emergency aeromedical services on the neighbor islands.

More specifically, the measure:

- (1) Establishes an Emergency Aeromedical Services Partnership Program to be administered by the Department of Health in counties having populations of less than five hundred thousand;
- (2) Requires revenue-sharing and cost-sharing for program operations and maintenance costs between the State and the Counties of Hawaii, Kauai, and Maui; and
- (3) Authorizes deposits into the Emergency Medical Services Special Fund.

Your Committee received written comments in support of this measure from the Department of Health, Hawaii Fire Department, Hawaii Pacific Health, Global Medical Response, and one individual.

Your Committee finds that providing the neighbor islands with greater access to emergency aeromedical services will help improve health care and health outcomes, especially for residents in medically-underserved rural areas of 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. 3126, 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. 3031 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 2673

The purpose and intent of this measure is to require that the authorized insurance benefits for chiropractic treatments for personal injury protection benefits under motor vehicle insurance be tied to the charges, and any subsequent increases in charges, permissible under the workers' compensation supplemental medical fee schedule.

Your Committees received testimony in support of this measure from the Hawaii State Chiropractic Association, Turning Point Chiropractic, Aloha Family Chiropractic, Dr. Jill Dawrs Family Chiropractic Clinic, and eleven individuals.

Your Committees received testimony in opposition to this measure from the American Property Casualty Insurance Association.

Your Committees received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs and Hawaii Insurers Council.

Your Committees find that Act 251, Session Laws of Hawaii 1997, amended the Motor Vehicle Insurance law and established the personal injury protection benefit for chiropractic treatments, which was set out as the lesser of thirty visits at not more than \$75 per visit or treatment as defined by the Hawaii State Chiropractic Association guidelines. Your Committees find that in the nearly three decades since this benefit was first established, the cost of chiropractic care has continually increased, while the statutory benefit provided has remained the same. Therefore, this measure aligns the authorized benefit for chiropractic care with that for acupuncture treatments, which ties charges to those permissible under the workers' compensation supplemental medical fee schedule, and ensures equitable, fair, and accessible chiropractic care for individuals recovering from automobile accidents.

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. 2673, 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, none. Excused, 1 (McKelvey).

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3032 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 2503

The purpose and intent of this measure is to:

- (1) Require all places of public accommodation and state building constructions constructed after December 31, 2024, to provide universal changing accommodations that are equally accessible regardless of gender; and
- (2) Require state building construction projects that are bid on after June 30, 2025, to include universal changing accommodations that are equally accessible regardless of gender, when doing so is feasible and cost effective.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services, Disability and Communication Access Board, State Council on Developmental Disabilities, Stonewall Caucus of the Democratic Party of Hawai'i, Hawai'i Youth Services Network, and four individuals.

Your Committees received comments on this measure from the Retail Merchants of Hawaii.

Your Committees find that universal changing stations, which generally have height-adjustable, adult-size changing tables that can accommodate all persons, are necessary in places of public accommodation, such as restaurants, hotels, and movie theaters, to allow individuals with disabilities an equal opportunity to participate in the activities and enjoyments of everyday life. By requiring new public accommodations and state buildings to provide universal changing accommodations, this measure will provide safe, hygienic, and dignified access to public restrooms for individuals who may not be able to access standard accessible restrooms, and move Hawaii ever closer towards its goal of achieving a truly inclusive society.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2040, 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. 2503, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2503, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (McKelvey).

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3033 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 3220

The purpose and intent of this measure is to:

- (1) Transfer the jurisdiction of enforcement of the Motor Carrier Law from the Public Utilities Commission to the Department of Transportation;
- (2) Make conforming amendments related to the transfer of jurisdiction; and
- (3) Make an appropriation to support the transfer of functions related to the Motor Carrier Law to the Department of Transportation.

Your Committees received testimony in support of this measure from the Department of Transportation; Hawaii Transportation Association; Moniz Trucking LLC; and Pineridge Farms, Inc.

Your Committees received comments on this measure from the Public Utilities Commission.

Your Committees find that under the Motor Carrier Law, the Public Utilities Commission regulates certain passenger and property motor carriers. Passenger carriers are classified by authorized vehicle seating capacity and include tour companies, limousine services, and other transportation providers. Property carriers are classified by the types of commodities transported and the nature of services performed, such as general commodities, household goods, commodities in dump trucks, and specific commodities. Your Committees further find that the Department of Transportation, which has jurisdiction over the State's facilities and infrastructure in all modes of transportation (land, air, and water), would be better-suited to regulate and enforce the Motor Carrier Law, as the regulation of vehicles over the public highways would more naturally fall under its purview. Your Committees also find that the Department of Transportation has a larger number of enforcement officers than the Public Utilities Commission and a better enforcement presence throughout the State. Therefore, this measure transfers jurisdiction over the enforcement of the Motor Carrier Law to the Department of Transportation for the purpose of improving administrative efficiency.

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. 3220, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3220, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (McKelvey).

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3034 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 3316

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, specific site information including commodity or crop 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 Committees received testimony in support of this measure from the Green Party of Hawai'i, Kauai Climate Action Coalition, When We Shine Foundation, Kanalani Ohana Farm, Hawai'i Alliance for Progressive Action, Hawai'i Farmers Union United, Greener Hawaii, and forty-seven individuals.

Your Committees received testimony in opposition to this measure from the Department of Agriculture, Hawaii Pest Control Association, Hawai'i Farm Bureau, National Pest Management Association, and one individual.

Your Committees received comments on this measure from Sugarland Farms, Inc. and CropLife America.

Your Committees find that restricted use pesticide exposure can cause significant harm to public health and the environment. Act 45, Session Laws of Hawaii 2018, established certain requirements intended to address and curb restricted use pesticide abuse in Hawaii, and required all users of restricted use pesticides to annually report their use to the Department of Agriculture. However, your Committees find that the infrequency of these reports and the lack of detailed information provided therein have made it difficult for policymakers, environmental experts, and the residents who reside near large tracts of agricultural land where restricted use pesticides are commonly sprayed, to determine what was sprayed, where, when, and in what quantities. This measure updates the Hawaii Pesticides Law by improving the reporting requirements relating to restricted use pesticides to allow policymakers and public health experts to better monitor and make evidence-based decisions regarding its use.

However, your Committees recognize the concerns raised in testimony regarding the challenges that monthly reporting would place on small farm operations and other small agricultural businesses that use restricted use pesticides. Your Committees also recognize the

concerns regarding the reporting of specific site information, including commodity or crop information as the disclosure can lead to an increase in trespassing, vandalism, and theft.

Accordingly, your Committees have amended this measure by:

- (1) Deleting language that would have required monthly reporting of pesticide use and replacing it with language that requires quarterly reporting of restricted pesticide use to the Department of Agriculture;
- (2) Deleting language that would have required the contents of the reports to include, and the Department of Agriculture to disclose to the public, specific site information including commodity or crop information where the restricted use pesticide application occurred;
- (3) Inserting an effective date of July 1, 2040, to encourage further discussion;
- (4) Amending section 1 to reflect its amended purpose; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on 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. 3316, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3316, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4; Ayes with Reservations (Richards). Noes, none. Excused, 1 (McKelvey).

Ways and Means: Ayes, 12; Ayes with Reservations (DeCoite). Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3035 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 2106

The purpose and intent of this measure is to establish the Access to Local Value-Added Products Act to allow homemade food operations to sell homemade food products, under certain conditions, upon registering with and receiving a permit from the Department of Health.

Your Committees received testimony in support of this measure from the Agribusiness Development Corporation; Hawaii Tropical Fruit Growers; Hawai'i Farm Bureau; Institute for Justice; Grassroot Institute of Hawaii; Maui Chamber of Commerce; Hawaiian Goodness LLC; Hawaii Master Food Preservers, Inc.; Pukana Lā Farms; Sally Jane's Sweets and Savories; 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 the homemade food industry, which includes home-cooked food products that are sold directly to consumers, is a small but growing industry that is preferred by certain consumers who are mindful of responsible food sourcing, interested in a healthy lifestyle, and want to support the local communities and individuals who produce the foods that they enjoy. Your Committees find that despite the great interest in homemade food, the existing regulatory framework creates many challenges and burdens for those who cannot easily comply with the requirements established by the Department of Health. Your Committees find that by enacting this measure, the State can help support and grow small businesses, offer locally-made alternatives to imported brands, create local employment opportunities, and keep more money within local communities.

Your Committees have amended this measure by:

- (1) Deleting language that would have established a permitting system for homemade food operations administered by the Department of Health and replacing it with language requiring homemade food operations to register with the Department of Health;
- (2) Inserting language to require a homemade food operation to submit for each homemade food operator proof of a valid food safety manager certificate issued by a program accredited by the American National Standards Institute, in addition to a food handlers education certificate;
- (3) Deleting language that would have exempted the production and sale of homemade food products regulated under this measure from all other licensing, permitting, inspection, packaging, and labeling laws administered by the Department of Health, subject to certain conditions;
- (4) Deleting language that would have established certain requirements regulating the sale and delivery of non-potentially hazardous homemade food products and potentially hazardous homemade food products;
- (5) Deleting language that would have clarified that homemade food operations shall be allowed to the maximum extent permitted by federal law and that homemade food operations shall be allowed to sell certain poultry, poultry byproducts, poultry food products, and seafood;
- (6) Inserting an effective date of July 1, 2040, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2106, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2106, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (McKelvey).

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3036 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 2122

The purpose and intent of this measure is to amend and extend the deadline to achieve the State's energy efficiency portfolio standards target from 2030 to 2045 and to further develop and clarify procedures for the energy efficiency portfolio standards established and overseen by the Public Utilities Commission.

Your Committees received testimony in support of this measure from the Hawaii Green Infrastructure Authority; Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs; Hawaii State Energy Office; Public Utilities Commission; Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu; Hawaiian Electric; Blue Planet Foundation; Ulupono Initiative; Wild Kids Hawai'i; 350Hawaii.org; Hawai'i Energy; Hawaii Solar Energy Association; Democratic Party of Hawai'i; and nine individuals.

Your Committees find that energy efficiency is a means of using less energy to provide the same or greater level of energy services to end-users. Act 155, Session Laws of Hawaii 2009, codified energy efficiency goals for the State by establishing an energy efficiency portfolio standard of reducing statewide electricity use by 4,300 gigawatt-hours by 2030, requiring the Public Utilities Commission to establish interim goals for electricity use reduction to maximize cost-effective energy-efficiency programs and technologies. Your Committees find that tremendous progress has been made towards this goal and this measure, by updating the energy-efficiency portfolio standards target to 6,000 gigawatt-hours of cumulative persisting electricity savings by 2045, will ensure that Hawaii residents will continue to see the benefits from energy-efficiency programming over the next two decades. Further, by aligning the energy-efficiency portfolio standards target date with that of the State's renewable energy portfolio standards target date, this measure will help facilitate improved monitoring and coordinated planning across the state energy sector.

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. 2122, 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, none. Excused, 1 (McKelvey).

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3037 (Joint/Majority) Commerce and Consumer Protection and Ways and Means on S.B. No. 2605

The purpose and intent of this measure is to, beginning January 1, 2025:

- (1) Require health insurers, mutual benefit societies, and health maintenance organizations to provide health insurance coverage for various sexual and reproductive health care services; and
- (2) Apply the health insurance coverage for various sexual and reproductive health care services to health benefits plans under the Hawaii Employer-Union Health Benefits Trust Fund.

Your Committees received testimony in support of this measure from one member of the Hawai'i County Council; Save Medicaid Hawaii; Stonewall Caucus of the Democratic Party of Hawai'i; Rainbow Family 808; Hawaii State Democratic Women's Caucus; Hawai'i Health & Harm Reduction Center; Planned Parent Alliance Advocates – Hawai'i; QueerDoc, PLLC; Hawaii Medical Service Association; the Hawai'i Section of the American College of Obstetricians and Gynecologists; and twenty-eight individuals.

Your Committees received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs, Kaiser Permanente Hawaii, and Hawaii Association of Health Plans.

Your Committees find that Hawaii has long been at the forefront of advancing reproductive rights and advocating for access to affordable and comprehensive sexual and reproductive health care. For example, in 1970, Hawaii became the first state to legalize abortion, three years before that right was determined to be a constitutional right protected nationwide by the United States Supreme Court. While Hawaii has since continued to make great strides in providing and expanding access to sexual and reproductive health care, your Committees find that, over time, these benefits and protections have remained under threat from those who desire to limit or prevent access to them entirely. Therefore, this measure will ensure that health insurance coverage for sexual and reproductive health care services will remain available for all people in Hawaii, protecting each resident's individual freedom to make their own sexual and reproductive health care decisions.

Your Committees note the concerns raised in testimony pertaining to the discrepancies in this measure regarding the definition of "contraceptive supplies" and whether coverage is required for alternative contraceptive supplies when a contraceptive supply covered by a policy is deemed medically inadvisable by the insured's health care provider. Accordingly, amendments to this measure are necessary to address these concerns.

Therefore, your Committees have amended this measure by:

- (1) Amending the definition of "contraceptive supplies" throughout the measure to exclude contraceptive drugs, devices, or products used by the partner of the insured, subscriber, or member;
- (2) Deleting language that would have required a mutual benefit society to cover an alternative contraceptive supply prescribed by a health care provider if a contraceptive supply covered by a policy is deemed medically inadvisable by the insured's health care provider, to conform with the coverage requirement for individual or group accident and health or sickness insurers, and health maintenance organizations; 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. 2605, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2605, S.D. 2.

Signed by the Chairs on behalf of the Committees.
 Commerce and Consumer Protection: Ayes, 3. Noes, 1 (Awa). Excused, 1 (McKelvey).
 Ways and Means: Ayes, 11. Noes, 1 (Fevella). Excused, 1 (Shimabukuro).

SCRep. 3038 Ways and Means on S.B. No. 3002

The purpose and intent of this measure is to appropriate moneys 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.

Your Committee received written comments in support of this measure from the Disability and Communication Access Board, Executive Office on Aging, Oahu Metropolitan Planning Organization, State Rehabilitation Council, AARP Hawaii, National Federation of the Blind of Hawaii, and three individuals.

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

Your Committee finds that reliable transportation is essential for people with disabilities to be independent, have an active lifestyle, and access necessary services such as medical care. Your Committee further finds that Act 214, Session Laws of Hawaii 2013, established a task force on mobility management. The task force submitted a report to the Legislature in 2015 making a variety of recommendations for establishing a transportation framework to assist elders and people with disabilities with transportation needs in each county. Your Committee recognizes that there remains a strong need for mobility management in the State, and believes that implementing the recommendations made by the task force is critical to meeting the transportation needs of the State's disabled and elderly population.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3002, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3002, S.D. 1.

Signed by the Chair on behalf of the Committee.
 Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3039 Ways and Means on S.B. No. 3021

The purpose and intent of this measure is to expand the scope of the electric bicycle and electric moped rebate program.

More specifically, this measure:

- (1) Renames the electric bicycle and electric moped rebate program as the electric mobility rebate program and expands the scope of the program to include additional types of electric mobility devices;
- (2) Increases the rebate amount available under the rebate program; and
- (3) Clarifies the Department of Transportation's duties regarding the rebate program.

Your Committee received written comments in support of this measure from the Department of Transportation, Hawaii State Energy Office, Oahu Metropolitan Planning Organization, Blue Planet Foundation, Hawaii Appleseed Center for Law and Economic Justice, Hawaii Bicycling League, Ulupono Initiative, and numerous individuals.

Your Committee finds that providing increased rebates for more types of electric mobility devices in addition to electric bicycles and electric mopeds will help to reduce carbon emissions in the State, thus helping the State to achieve its decarbonization goals.

Your Committee notes that in its written comments on this measure, the Department of Transportation recommended amending this measure by:

- (1) Inserting in Section 1 of the measure a provision stating that the measure is recommended by the Governor for immediate passage in accordance with section 9 of article VII of the Constitution of the State of Hawaii;
- (2) Deleting the provision authorizing the Department of Transportation to prepare a retailer application and portal; and
- (3) Inserting an appropriation of moneys into and out of the electric mobility subaccount of the highway development special fund for fiscal years 2023-2024 and 2024-2025, and clarifying that:
 - (A) Any unencumbered funds shall lapse on June 30, 2025, and June 30, 2026, respectively; and
 - (B) The moneys appropriated shall be expended by the Department of Transportation for the electric mobility rebate program.

Your Committee has amended this measure by:

- (1) Correcting the name of the funding mechanism for the electric mobility rebate program;
- (2) Clarifying that the Department of Transportation shall provide its annual reports on the rebate program to the Legislature no later than twenty days prior to the convening of each regular session;
- (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. 3021, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3021, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3040 Ways and Means on S.B. No. 2497

The purpose and intent of this measure is to encourage high technology research in the State.

Specifically, this measure amends the tax credit that is available for research activities by:

- (1) Increasing the total amount of certified credits to an unspecified sum;
- (2) Extending the sunset date of the credit; and
- (3) Amending the definition of the term “qualified high technology business.”

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Technology Development Corporation; Hawaii Food Industry Association; Chamber of Commerce Hawaii; H Nu Photonics LLC; PaeMar Technologies; Nalu Scientific, LLC; 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 research activities stimulate the State’s economy and create beneficial employment opportunities for residents. Your Committee further finds that the amendments made by this measure to the tax credit available for research activities will allow for a wider distribution of tax credits to qualified companies.

Your Committee has amended this measure by amending the definition of the term “qualified high technology business” to remove the requirement that the employees of a business’s affiliates be included when determining the number of employees that the business employs.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2497, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2497, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3041 Ways and Means on S.B. No. 2817

The purpose and intent of this measure is to appropriate moneys to the University of Hawaii to establish five full-time equivalent (5.0 FTE) faculty positions in the College of Tropical Agriculture and Human Resources to provide for additional extension specialist and extension agent positions.

Your Committee received written comments in support of this measure from the University of Hawaii, Hawaii Cattlemen’s Council, Hawaii Farm Bureau, Ulupono Initiative, and University of Hawaii Professional Assembly.

Your Committee finds that there are significant gaps in the reach of the University of Hawaii College of Tropical Agriculture and Human Resources Cooperative Extension programs due to staff vacancies. Your Committee further finds that the Cooperative Extension programs rely on the knowledge and experience of county extension agents and extension specialists to extend research-based knowledge from the land-grant university out to the residents and agricultural producers of the State. Your Committee also finds that these positions are essential for the health and well-being of Hawaii’s agricultural producers and consumers.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to 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. 2817, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2817, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3042 Ways and Means on S.B. No. 2726

The purpose and intent of this measure is to require the Legislative Reference Bureau to conduct a study on certain other states’ approaches to various issues regarding condominiums.

Your Committee received written comments in support of this measure from AARP Hawaii, Community Associations Institute, Honolulu Tower AOA, and nine individuals.

Your Committee received written comments on this measure from the State Procurement Office and two individuals.

Your Committee finds that Act 189, Session Laws of Hawaii 2023, established the Condominium Property Regime task force and required an interim report to the Legislature before the Regular Session of 2024. Your Committee further finds that in the interim

report, the task force requested that the Legislative Reference Bureau study and report to the Legislature on certain subjects relating to condominiums to enable the task force to better recommend legislation on an informed and objective basis.

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. 2726, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2726, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3043 Ways and Means on S.B. No. 2044

The purpose and intent of this measure is to facilitate the collection of conveyance-related taxes.

Specifically, the measure:

- (1) Establishes that the transfer of a controlling interest in an entity that owns real property in the State shall be subject to the conveyance tax established in Chapter 247, Hawaii Revised Statutes;
- (2) Requires an unspecified amount of revenue from taxes established under Chapter 247, Hawaii Revised Statutes, to be deposited into the dwelling unit revolving fund; and
- (3) Requires the Department of Taxation to adopt applicable administrative rules.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development, Hawaii Housing Finance and Development Corporation, Partners In Care, and two individuals.

Your Committee received written comments in opposition to this measure from the Grassroot Institute of Hawaii, NAIOP Hawaii, and Land Use Research Foundation of Hawaii.

Your Committee received written comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee recognizes that current taxation law inadvertently allows parties, usually large investors, to avoid paying conveyance taxes by transferring real property through entity-level transactions. Your Committee finds it appropriate to close this legal loophole and deposit a portion of resulting tax revenues into the dwelling unit revolving fund, which is used to support state housing development programs and regional state infrastructure programs.

Your Committee has amended this measure by inserting a definition of the term "fair market value" into the relevant tax statute.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2044, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2044, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3044 (Joint) Ways and Means and Judiciary on S.B. No. 2913

The purpose and intent of this measure is to establish a regulatory framework for the sale of travel insurance in the State.

Your Committees received written comments in support of this measure from Allianz Global Assistance Service Company, American Property Casualty Insurance Association, Hawaii Insurers Council, and United States Travel Insurance Association.

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 Commerce and Consumer Affairs.

Your Committees find that the provisions of this measure closely mirror a model regulatory framework that has been adopted by thirty-five other states. Your Committees believe that adopting a regulatory framework for the sale of travel insurance in the State that is substantially similar to the widely adopted model framework will help to benefit consumers, empower regulators, ensure that the travel insurance marketplace is operated fairly, and provide increased clarity to the application of the State's insurance regulations.

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. 2913, 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 (Kanuha, Shimabukuro).
Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 3045 (Joint) Ways and Means and Judiciary on S.B. No. 3234

The purpose and intent of this measure is to enable the Hawaii Property Insurance Association and the Hawaii Hurricane Relief Fund to underwrite certain insurance risks in the State.

More specifically, this measure:

- (1) Establishes a separate transient accommodation tax rate to be levied and assessed on transient vacation rentals, and provides for the distribution of tax revenues levied and assessed on transient vacation rentals;
- (2) Establishes a property insurance surcharge on conveyance tax to be levied and assessed on certain transfers and conveyances of real property, and provides for the distribution of revenues from the surcharge on conveyance tax;
- (3) Clarifies the duties of the Hawaii Property Insurance Association, including requiring the Hawaii Property Insurance Association to establish in its plan of association may be eligible to be insured by the Hawaii Property Insurance Association, establish a reserve trust fund, and receive moneys from certain taxes, fees, and surcharges;
- (4) Authorizes the Hawaii Property Insurance Association to provide property insurance other than fire insurance for certain real properties organized as a condominium;
- (5) Requires Hawaii Property Insurance Association member insurers to impose a surcharge on certain insurance premiums to recoup assessments paid to cover extraordinary losses incurred by the Hawaii Property Insurance Association;
- (6) Requires property and casualty insurers to impose a surcharge on certain insurance premiums to recoup assessments paid to the Hawaii Hurricane Relief Fund;
- (7) Amends specific coverage limits, fund capitalization amounts, and assessment percentages; and
- (8) Authorizes the Insurance Commissioner to reinstate the special mortgage recording fee.

Your Committees received written comments in support of this measure from the Hawaii Green Infrastructure Authority, Community Associations Institute, Hawaii Bankers Association, Hawaii Financial Services Association, Honolulu Tower Association of Apartment Owners, and one individual.

Your Committees received written comments on this measure from the Department of Commerce and Consumer Affairs, Department of Taxation, Hawaii REALTORS, Maui Chamber of Commerce, State Farm Mutual Automobile Insurance Company, and Tax Foundation of Hawaii.

Your Committees find that enabling the Hawaii Property Insurance Association and Hawaii Hurricane Relief Fund to underwrite certain insurance risks that may otherwise not be underwritten will help to stabilize the State's property insurance market and encourage property insurers to continue to do business in the State.

Your Committees note that in its written comments on this measure, the Department of Taxation recommended amending this measure to:

- (1) In lieu of imposing an additional tax on four different categories of transient vacation rentals, either:
 - (A) Increase the transient accommodations tax imposed on all transient accommodations; or
 - (B) Adopt a single definition of "transient vacation rental", without reference to county ordinance, to apply uniformly to all short-term rentals in the State;
- (2) Remove the proposed allocation formulas in section 237D-2(f), Hawaii Revised Statutes, and instead establish set funding allocation dollar amounts or percentages of all transient accommodations tax revenues collected under section 237D-6.5, Hawaii Revised Statutes; and
- (3) If the Department of Taxation's recommendations are adopted, changing the effective date for Sections 2, 3, 4, and 5 of this measure to January 1, 2026, to provide sufficient time for the Department of Taxation to:
 - (A) Develop the necessary forms, instructions, computer system, and administrative changes; and
 - (B) Provide taxpayer education about the increased taxes and requirements.

Your Committees also note that this measure does not include provisions that address insurance coverage for commercial properties in lava zones 1 and 2. Accordingly, your Committees respectfully request that this issue be considered as the measure moves forward in the legislative process.

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. 3234, 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 (Kanuha, Shimabukuro).

Judiciary: Ayes, 5; Ayes with Reservations (San Buenaventura). Noes, none. Excused, none.

SCRep. 3046 Ways and Means on S.B. No. 2081

The purpose and intent of this measure is to promote the growth and diversification of Hawaii's aerospace and aeronautics industries.

Specifically, this measure:

- (1) Establishes the Aerospace and Aeronautics Development Program;
- (2) Establishes the powers and duties of the program and its director; and
- (3) Appropriates moneys to establish the program.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development and Tourism; Hawaii Technology Development Corporation; and Chamber of Commerce Hawaii.

Your Committee finds that this measure will help to diversify and strengthen the State's economy by promoting the growth and diversification of Hawaii's aerospace and aeronautics businesses, which create high-paying jobs and take advantage of the State's unique geographic positioning and geological features.

Your Committee has amended this measure by deleting the appropriation to establish 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 S.B. No. 2081, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2081, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3047 Ways and Means on S.B. No. 2814

The purpose and intent of this measure is to inventory and assess the State's existing water infrastructure.

Specifically, this measure:

- (1) Requires the Department of Agriculture, in collaboration with the Agribusiness Development Corporation and the counties, to conduct a water infrastructure study; and
- (2) Appropriates moneys to the Department of Agriculture to conduct the study.

Your Committee received written comments in support of this measure from the Agribusiness Development Corporation, Ulupono Initiative, Hawaii Farm Bureau, Local Food Coalition, and Hawaii Community Foundation.

Your Committee received written comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the regulation and monitoring of wells, irrigation ditches, reservoirs, and pump stations in the State are overseen by multiple agencies that have overlapping priorities and objectives. These agencies provide several informational inputs into a disjointed monitoring system that relies upon cooperation among the different agencies. As a result, the State presently lacks a complete inventory and comprehensive data system to track the condition and maintenance needs of water infrastructure in Hawaii.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated 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. 2814, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2814, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3048 Ways and Means on S.B. No. 2728

The purpose and intent of this measure is to reestablish the regulation of appraisal management companies.

More specifically, this measure:

- (1) Reestablishes the appraisal management company registration program; and
- (2) Appropriates moneys to the Department of Commerce and Consumer Affairs for the implementation of the appraisal management company registration program.

Your Committee received written comments in support of this measure from Hawaii Bankers Association, Hawaii Financial Services Association, Hawaii REALTORS, Mortgage Bankers Association of Hawaii, and Real Estate Valuation Advocacy Association.

Your Committee received written comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that Chapter 466L, Hawaii Revised Statutes, establishing the appraisal management company registration program, was effectively repealed on June 30, 2023, pursuant to section 26H-4, Hawaii Revised Statutes. However, your Committee believes that the reestablishment of the registration program will help the State to avoid a mortgage availability shortage.

Your Committee has amended this measure by:

- (1) Specifically repealing chapter 466L, Hawaii Revised Statutes;
- (2) Changing the effective date for:
 - (A) Section 6 of this measure to an unspecified date in 2050;
 - (B) Section 7 of this measure to July 1, 2050; and
 - (C) The remaining provisions of this measure to September 30, 2050,to facilitate further discussion on the measure; and

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2728, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2728, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3049 Ways and Means on S.B. No. 3094

The purpose and intent of this measure is to establish, appropriate moneys for, and require a legislative report from a Peer Support Specialist Working Group that is tasked to develop and make recommendations for a framework for peer support specialists in the State.

Your Committee received written comments in support of this measure from the Judiciary, Department of Human Services, Department of Health, Hawaii State Council on Developmental Disabilities, Office of Wellness and Resilience, State Council on Mental Health, Commit to Keiki, Hawaii Substance Abuse Coalition, Hawaii Families as Allies, National Alliance on Mental Illness Hawaii, Hawaii Health and Harm Reduction Center, Hawaii Children's Action Network Speaks!, EPIC Ohana, Pua Foundation, Opportunity Youth Action Hawaii, Pacific Peer Connection, Koolau Clubhouse, Oahu Lived Experience Council, and numerous individuals.

Your Committee recognizes that peer support specialists have real life experience receiving services from systems of care, and peer support specialists draw upon their own experiences to assist other individuals experiencing similar situations through shared understanding, respect, and mutual empowerment.

Your Committee finds that increasing opportunities for peer support specialists to provide assistance is essential to creating a framework of trauma-informed care and peer support for homeless persons, individuals suffering from mental health disorders, and others in need.

Your Committee has amended this measure by changing the appropriation to an unspecified amount to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3094, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3094, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3050 Ways and Means on S.B. No. 2107

The purpose and intent of this measure is to authorize the Attorney General to appoint a special counsel to assume the Attorney General's powers and responsibilities over an investigation, prosecution, or administrative action if direct involvement of the Department of the Attorney General presents a conflict of interest, and having outside counsel is in the public interest.

Your Committee received written comments in opposition to this measure from the Department of the Attorney General.

Your Committee finds that authorizing the Attorney General to appoint a special counsel in certain matters will provide the Attorney General with another means to resolve conflicts of interest that involve the Attorney General personally or the Department of the Attorney General as a whole.

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. 2107, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2107, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3051 Ways and Means on S.B. No. 2337

The purpose and intent of this measure is to authorize each county to exercise the same powers as the Hawaii Housing Finance and Development Corporation for the purposes of developing, constructing, financing, refinancing, and otherwise providing low- and moderate-income housing projects and mixed-use developments.

Your Committee received written comments in support of this measure from the Office of Planning and Sustainable Development, City and County of Honolulu Department of Planning and Permitting, Maui County Mayor, and Maui Chamber of Commerce.

Your Committee received written comments on this measure from the Disability and Communication Access Board and Grassroot Institute of Hawaii.

Your Committee finds that authorizing each county to use affordable housing bonds to develop mixed-use affordable housing projects will help to better address each county's affordable housing shortage.

Your Committee has amended this measure by:

- (1) Inserting a sunset date of June 30, 2028;

- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2337, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2337, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3052 (Joint) Ways and Means and Judiciary on S.B. No. 3327

The purpose and intent of this measure is to provide greater protection for the State's waters.

Specifically, this measure:

- (1) Establishes a public trust purpose for the Commission on Water Resource Management;
- (2) Allows the Commission on Water Resource Management to retain independent legal counsel;
- (3) Repeals the position of Deputy to the Chairperson of the Commission on Water Resource Management, and establishes the position of Executive Director of the Commission on Water Resource Management;
- (4) Provides for the Commission on Water Resource Management to be attached to the Department of Land and Natural Resources for administrative purposes only;
- (5) Amends the structure of the Commission on Water Resource Management;
- (6) Authorizes entities to challenge an emergency order of the Commission on Water Resource Management under certain conditions; and
- (7) Amends the penalties that the Commission on Water Resource Management may impose to enforce its rules and orders.

Your Committees received written comments in support of this measure from the Department of Hawaiian Home Lands, Honolulu Board of Water Supply, Sierra Club of Hawai'i, Na Kia'i Kai, Koolau Foundation, Haumana o Ke Kula Kaiapuni 'O Kekaulike, Lahaina Strong, Native Hawaiian Legal Corporation, Free Access Coalition, 'Ahaui o Hawai'i, Keaukaha Community Association, Hawaii Alliance for Progressive Action, Kupuna for the Moopuna, Clean the Pacific, Earthjustice, Shimanchu Wai Protectors, Council for Native Hawaiian Advancement, E Ola Kakou Hawaii, Save Honolulu Coalition, Oahu Water Protectors, and more than one hundred individuals.

Your Committees received written comments in opposition to this measure from the Department of Land and Natural Resources and one individual.

Your Committees received written comments on this measure from the Department of the Attorney General.

Your Committees find that this measure will provide greater accountability and protection of the State's waters by clarifying the Commission on Water Resource Management's purpose and reforming the Commission's leadership structure and board composition.

Your Committees note the testimony of the Department of Land and Natural Resources, which requested certain amendments relating to the enforcement mechanisms available to the Commission on Water Resource Management, including:

- (1) Additional language to section 174C-15, Hawaii Revised Statutes, that establishes a presumption that a violator's economic and financial condition allow for the payment of the penalty, and places the burden of proof to the contrary on the violator; and
- (2) A recommended maximum fine of \$25,000.

Your Committees respectfully ask that these requested amendments be considered as this measure moves forward in the legislative process.

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. 3327, 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 (Kanuha, Shimabukuro).
Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 3053 Ways and Means on S.B. No. 3099

The purpose and intent of this measure is to reduce certain Employees' Retirement System members' service requirements for vested benefit status eligibility.

More specifically, this measure:

- (1) Reduces from ten years to five years the minimum number of years of credited service a qualified Tier 2 Employees' Retirement System member must have to be eligible for vested benefit status for service retirement allowance purposes; and
- (2) Appropriates moneys for investments of the Employees' Retirement System.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations, Department of Budget and Finance, Office of the Governor, Employees' Retirement System Board of Trustees, City and County of Honolulu Department of Human Resources, United Public Workers, and University of Hawaii Professional Assembly.

Your Committee received written comments on this measure from the Hawaii Employer-Union Health Benefits Trust Fund.

Your Committee finds that reducing certain service requirements for vested benefit status eligibility will help the State improve employee recruitment and retention without having to adjust pension retirement benefits.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount to facilitate further discussion on the measure; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3099, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3099, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3054 (Joint) Ways and Means and Judiciary on S.B. No. 3142

The purpose and intent of this measure is to facilitate the timely disbursement of certain federal grant moneys.

Specifically, this measure authorizes the Director of Health to transfer federal capitalization grant moneys between the Water Pollution Control Revolving Fund and the Drinking Water Treatment Revolving Loan Fund.

Your Committees received written comments in support of this measure from the Department of Health and Ulupono Initiative.

Your Committees received written comments in opposition to this measure from one individual.

Your Committees find that the United States Environmental Protection Agency oversees the State's implementation of the Water Pollution Control Revolving Fund and the Drinking Water Treatment Revolving Loan Fund programs and may withhold or delay future capitalization grants if those programs struggle to expeditiously disburse grant moneys. Your Committees further find that the ability to move moneys between the two funds will help facilitate timely disbursement of grants.

Your Committees note the testimony of the Department of Health, which requested certain amendments to this measure, including amendments that:

- (1) Provide that the Attorney General's certification that the transfer of moneys between the funds is permitted by state law be required only for the initial transfer;
- (2) Provide to the Governor or the Governor's designee, rather than the Director of Health, the authority to transfer funds; and
- (3) Clarify that the fund transfer available under this measure is not limited to only the capitalization grant.

Your Committees respectfully ask that these requests be considered as this measure moves forward in the legislative process.

Your Committees have amended this measure by:

- (1) Correcting a spelling error; and
- (2) Making technical nonsubstantive amendments for purposes of 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. 3142, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3142, S.D. 2.

Signed by the Chairs on behalf of the Committees.
Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Kanuha, Shimabukuro).
Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 3055 (Joint) Ways and Means and Judiciary on S.B. No. 2922

The purpose and intent of this measure is to establish the Catastrophic Wildfire Securitization Act, which includes a process by which the Public Utilities Commission may authorize public utilities to securitize rates in order to raise capital that can be used to pay for costs and expenses arising out of catastrophic wildfires.

Your Committees received written comments in support of this measure from the International Brotherhood of Electrical Workers Local Union 1260, Kauai Island Utility Cooperative, Hawaiian Electric, Clearway Energy Group, Longroad Energy, and Ulupono Initiative.

Your Committees received written comments in opposition to this measure from one individual.

Your Committees received written comments on this measure from the Office of the Governor, Department of Commerce and Consumer Affairs, Department of the Attorney General, Department of Budget and Finance, Public Utilities Commission, and Maui Chamber of Commerce.

Your Committees find that, in the aftermath of the wildfires that spread on Maui in August 2023, public utilities need capital to finance the development and implementation of plans for wildfire risk mitigation, and to contribute to disaster relief funds. Your Committees also find that, in order to prevent ratepayers from bearing the full burden of mitigation efforts, shareholder contributions must be a part of utility capitalization moving forward.

Your Committees believe that while this measure may present challenges to a utility, further discussion is warranted. Your Committees recognize that concerns exist regarding alternative models of ownership for utilities, as referenced in this measure. In 2019, the Department of Business, Economic Development, and Tourism published a study on alternative models of ownership, including co-operatives, in the State. The study noted that regulatory reform may be a better option for achieving state energy goals. In the interest of further discussion, your Committees encourage a re-evaluation of these issues as this measure progresses in the legislative process.

Your Committees have amended this measure by:

- (1) Clarifying use of recovery costs by providing that:
 - (A) Any payments into the wildfire relief fund shall not be used for replenishment due to imprudent conduct; and
 - (B) The Public Utilities Commission may consider allowing litigation and settlements or related expenses to be paid for by securitized capital if the capital is the lowest cost for ratepayers, and if shareholder contributions are considered first;
- (2) Clarifying that an application submitted by a public utility to the Public Utilities Commission and that fully complies with the Catastrophic Wildfire Securitization Act shall also be deemed to comply with any requirements imposed by any applicable provision of chapter 269, Hawaii Revised Statutes;
- (3) Making numerous amendments to the conditions that must be met before a financing order is issued;
- (4) Requiring the Public Utilities Commission to issue certain financing orders within one hundred eighty days of the filing of a completed application, if the Commission determines that the amounts identified in the application are recovery costs;
- (5) Deleting statutory provisions executing a pledge by the State to unknown parties;
- (6) Providing that access to securitized funds shall be limited to a public utility whose bond rating is below investment grade;
- (7) Providing that the Public Utilities Commission shall incorporate its findings relating to the Catastrophic Wildfire Securitization Act into the Commission's annual report to the Legislature;
- (8) Inserting a sunset date of June 30, 2030; and
- (9) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2922, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2922, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Kanuha, Shimabukuro).

Judiciary: Ayes, 5; Ayes with Reservations (San Buenaventura). Noes, none. Excused, none.

SCRep. 3056 (Joint) Ways and Means and Commerce and Consumer Protection on S.B. No. 1590

The purpose and intent of this measure is to expand Hawaii's meat inspection capacity.

Specifically, this measure:

- (1) Requires the Department of Agriculture to assess the steps necessary for the State to supplement federal authority to perform meat inspections within the State;
- (2) Requires the Department of Agriculture to assess the steps necessary to transfer full authority over meat inspections from federal authority to the State; and
- (3) Appropriates moneys to establish three full-time equivalent (3.0 FTE) inspector positions within the Department of Agriculture to conduct meat inspections.

Your Committees received written comments in support of this measure from the Department of Agriculture, Land Use Research Foundation of Hawaii, Hawaii Cattlemen's Council, Hawaii Farm Bureau, Ulupono Initiative, and Maui Chamber of Commerce.

Your Committees received written comments in opposition to this measure from one individual.

Your Committees find that the State's meat inspection program was discontinued in the mid-1990s due to budget cuts and staffing reductions. Your Committees further find that restoring and updating this program will help to grow Hawaii's livestock industry and facilitate the beneficial use of axis deer and other ungulates.

Your Committees note the testimony of the Department of Agriculture, which requested:

- (1) The establishment of one full-time equivalent (1.0 FTE) meat inspection supervisor/VMO position; and
- (2) An annual, recurring appropriation of \$1,000,000 to pay for payroll and operating costs.

Your Committees respectfully ask that these requests be considered as this measure moves forward in the legislative process.

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. 1590, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.
 Ways and Means: Ayes, 9. Noes, none. Excused, 4 (Aquino, Hashimoto, Kim, Shimabukuro).
 Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 3057 (Joint/Majority) Commerce and Consumer Protection and Ways and Means on S.B. No. 3335

The purpose and intent of this measure is to:

- (1) Establish the Hawaii Cannabis Authority and Cannabis Control Board within the Department of Commerce and Consumer Affairs to regulate all aspects of the cannabis plant;
- (2) Establish the Cannabis Control Implementation Advisory Committee;
- (3) Beginning January 1, 2026, legalize the personal adult use of cannabis;
- (4) Establish taxes for adult-use cannabis and medical cannabis sales;
- (5) Transfer the personnel and assets of the Department of Health and assets of the Department of Agriculture to the Hawaii Cannabis Authority; and
- (6) Make appropriations.

Your Committees received testimony in support of this measure from the Department of Agriculture; Hawaii Cannabis Industry Association; Big Island Grown, LLC; Cultivation Sector Consulting, LLC; Techmana, LLC; Hawaiian Ethos; THC Ministry; two members of the Kaua'i County Council; and twenty-six individuals.

Your Committees received testimony in opposition to this measure from the Department of the Prosecuting Attorney for the City and County of Honolulu, Retail Merchants of Hawaii, Keiki Injury Prevention Coalition, Hawaii Substance Abuse Coalition, Smart Approaches to Marijuana Hawaii, Coalition for a Drug-Free Hawaii, Hawaii Family Forum, and sixty-eight individuals.

Your Committees received comments on this measure from the Department of Health, Department of Commerce and Consumer Affairs, Department of Law Enforcement, Department of the Attorney General, Department of Budget and Finance, Department of Education, Department of Taxation, Catholic Charities Hawai'i, Healthcare Association of Hawaii, Tax Foundation of Hawaii, Hawai'i Alliance for Cannabis Reform, Hawai'i Appleseed Center for Law and Economic Justice, Last Prisoner Project, Akamai Cannabis Consulting, Democratic Party of Hawai'i, American Cancer Society Cancer Action Network, Oahu Cannabis Farms Alliance, Hawai'i Public Health Institute, Cannabis Society of Hawai'i, and seven individuals.

Your Committees find that the legalization of cannabis in Hawaii has been the subject of an ongoing conversation within the Legislature that has now spanned nearly twenty-five years. Beginning in 2000, Governor Ben Cayetano first signed into law Act 228, Session Laws of Hawaii 2000, which legalized the use of marijuana for strictly medical purposes under the Medical Cannabis Registry Program, codified as chapter 329, Hawaii Revised Statutes (HRS), making Hawaii the eighth state to do so at that time. However, access to medical cannabis remained a challenge for many patients, as there were no legal markets or dispensaries available. To resolve this issue, Act 241 Session Laws of Hawaii 2015, established the Hawaii Medical Marijuana Dispensary System, codified as chapter 329D, HRS, creating the regulated statewide dispensary system for medical marijuana that exists today, ensuring that qualifying patients have access to medical marijuana.

The following year, Act 228, Session Laws of Hawaii 2016, established the State's Industrial Hemp Pilot Program, allowing the cultivation of industrial hemp and distribution for purposes of agricultural or academic research. Further, Act 14, Session Laws of Hawaii 2020, amended state law to allow for the growth and cultivation of hemp in the State through the United States Department of Agriculture (USDA) Hemp Production Program, in alignment with the federal 2018 "Farm Bill". In 2020, Act 273, Session Laws of Hawaii 2019, was enacted to decriminalize small amounts of cannabis.

Your Committees find that, after years of debate and discussion, now is the time for the State to legalize cannabis to include non-medical adult use. The legalization of cannabis for adult use is a natural, logical, and reasonable outgrowth of the current science of, and evolving attitude towards, cannabis. Twenty-four other jurisdictions across the United States have already enacted laws to regulate the sale and adult use of non-medical cannabis. The State is familiar with and has successfully administered the Medical Marijuana Dispensary Program since 2015; has had ample time to study the costs and benefits of establishing an adult-use cannabis program through, among others, the Dual Use Cannabis Task Force established pursuant to S.B. 1139, H.D. 1, S.D. 2, C.D. 1 (2021); and has been able to observe and learn lessons from other States regarding the best practices for the legalization of adult-use cannabis. Your Committees further find that cannabis cultivation and sales hold great potential for economic development, reduced crime, and increased tax revenues--revenues that the State urgently needs to fund various institutions and programs following the August 2023 Maui wildfire.

Accordingly, your Committees therefore find it is appropriate to move forward with the legalization of adult-use cannabis, and this measure will, among other things, establish a framework to centralize all forms of cannabis under a single regulatory authority.

Notwithstanding, your Committees have heard the concerns raised by testifiers on behalf of the hemp industry, requesting certain amendments to help facilitate and transition the regulation of hemp under a single regulatory authority. Therefore, amendments to this measure are necessary to address these various issues.

Accordingly, your Committees have amended this measure by:

- (1) Changing the names of the Cannabis Control Board, Hawaii Cannabis Authority, and Cannabis Control Implementation Advisory Committee to the Hemp and Cannabis Control Board, Hawaii Hemp and Cannabis Authority, and Hemp and Cannabis Control Implementation Advisory Committee, respectively;
- (2) Clarifying the definitions of "cannabis", "crude hemp extract", "cultivate" or "cultivation", "hemp product", "smoke" or "smoking", and "tetrahydrocannabinol" or "THC";

- (3) Inserting definitions for the terms “hemp coordinator”, “hemp extract product”, and “industrial hemp product”;
- (4) Deleting the definition of the term “industrial hemp”;
- (5) Adding one full-time equivalent position of Hemp Coordinator to the Hawaii Hemp and Cannabis Authority;
- (6) Clarifying the use of the terms “hemp extract products” and “hemp extract processor” throughout;
- (7) Adjusting the membership of the Hemp and Cannabis Control Implementation Advisory Committee to include representatives of the hemp industry;
- (8) Deleting language that would have required the rules adopted by the Hemp and Cannabis Control Board to include requirements that prohibit or restrict cannabis processors or hemp processors from altering or utilizing commercially processed or manufactured food products when processing cannabis or hemp unless the food product was commercially manufactured specifically for use by the cannabis processors or hemp processors to infuse with cannabis or hemp;
- (9) Authorizing the Cannabis Social Equity, Public Health and Education, and Public Safety Special Fund to be expended for the implementation and administration of the Hawaii Hemp Grant Program;
- (10) Clarifying that the permissible use of cannabis shall not result in the denial of certain rights relating to custody, visitation, and the parenting of a child or be construed as a violation of any condition of parole, probation, or pre-trial release;
- (11) Clarifying that the State and any of its political subdivisions shall not impose any penalty or deny any benefit or entitlement for the permissible use of cannabis for a person who is at least twenty-one years of age;
- (12) Inserting language authorizing the possession and distribution of cannabis paraphernalia;
- (13) Clarifying that the five-year durational residency requirement for a person or business entity shall not apply to an applicant for a hemp cultivator or hemp processor license;
- (14) Clarifying that the controlling interest residency requirement for a business entity shall not apply to an applicant for a hemp cultivator or hemp processor license;
- (15) Clarifying that a person convicted of a felony that resulted in a term of probation, incarceration, or supervised release that was completed more than ten years ago may apply for a cannabis business or hemp business license, as well as manage, control, and work for a licensed cannabis or hemp business;
- (16) Clarifying the Board’s adoption of rules to establish requirements, restrictions, and standards regarding the types, ingredients, and designs of cannabis and restricted cannabis products;
- (17) Deleting language that would have authorized the Hemp and Cannabis Control Board to issue industrial hemp permits;
- (18) Inserting language to specify that the restricted cannabinoid product list shall not include hemp extract products that are intended only for external topical application to the skin or hair and certain tinctures;
- (19) Clarifying that no person shall process hemp into a hemp extract product without a hemp extract processor license, the requirement for which shall not apply to processing hemp into an industrial hemp product;
- (20) Clarifying that hemp shall be processed into a hemp extract product in an indoor facility or within an agricultural building or structure pursuant to section 46-88, Hawaii Revised Statutes; provided that the hemp is processed without the use of heat, volatile compounds, or gases under pressure except for carbon dioxide (CO2);
- (21) Clarifying that hemp extract processors shall comply with all applicable building ordinances;
- (22) Clarifying that a permit shall not be required to sell hemp products that are not restricted cannabinoid products;
- (23) Exempting from certain regulations industrial hemp products; provided that any industrial hemp products comply with all other applicable laws, rules, and regulations;
- (24) Inserting language to establish the Hawaii Hemp Grant Program;
- (25) Exempting from certain nuisance regulations hemp and cannabis products and any foul or noxious odor, gas, or vapor derived from hemp and cannabis products;
- (26) Amending section 1 to reflect its amended purpose;
- (27) Inserting unspecified amounts for all appropriations and full-time equivalent positions, to encourage further discussion; and
- (28) Making 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. 3335, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3335, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4; Ayes with Reservations (Fukunaga, Richards). Noes, none. Excused, 1 (McKelvey).

Ways and Means: Ayes, 7; Ayes with Reservations (Aquino, DeCoite). Noes, 5 (Inouye, Kidani, Moriwaki, Wakai, Fevella). Excused, 1 (Shimabukuro).

SCRep. 3058 (Joint) Ways and Means and Judiciary on S.B. No. 3344

The purpose and intent of this measure is to establish and appropriate moneys for a Hawaii Wildfire Relief Fund and Hawaii Wildfire Relief Fund Corporation to provide compensation for property damage caused by catastrophic wildfires in the State.

Your Committees received written comments in support of this measure from the Hawaii Farm Bureau, International Brotherhood of Electrical Workers Local Union 1260, Hawaiian Electric, Clearway Energy Group, Maui Chamber of Commerce, and Ulupono Initiative.

Your Committees received written comments in opposition to this measure from the Hawaii Association for Justice, State Farm, and two individuals.

Your Committees received written comments on this measure from the Office of the Governor, Department of Commerce and Consumer Affairs, Office of Administrative Hearings of the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Department of Budget and Finance, Public Utilities Commission, Office of the Auditor, Tax Foundation of Hawaii, and Kauai Island Utility Cooperative.

Your Committees find that the Wildfire Relief Fund and Wildfire Relief Fund Corporation established by this measure will help to address the financial aftermath of any future catastrophic wildfires in the State by mitigating financial losses and compensating for resulting property damage.

Your Committees have amended this measure by:

- (1) Inserting a definition for “eligible claim”;
- (2) Clarifying the requirements for the risk-based wildfire protection plan that an electric utility subject to proceedings for liability or insolvency claims related to a catastrophic wildfire must have approved by the Public Utilities Commission in order for the utility to participate in the Wildfire Relief Fund;
- (3) Inserting provisions allowing the Public Utilities Commission to determine the timeline for submitting the risk-based wildfire protection plan, and at what point on the timeline the electric utility may participate in the Wildfire Relief Fund;
- (4) Providing that a supplemental contribution by the State may not exceed the largest contribution paid by other contributors;
- (5) Providing that fifty percent of an investor-owned utility’s contributions to the Wildfire Relief Fund may be recovered from its customers in rates;
- (6) Clarifying that if total supplemental payments are insufficient to meet the fund administrator’s required amount, the State may loan the fund an amount up to the depletion percentage identified in section -16(d) of the measure; and
- (7) Making technical nonsubstantive edits 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. 3344, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3344, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Kanuha, Shimabukuro).

Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 3059 Ways and Means on S.B. No. 3068

The purpose and intent of this measure is to make various appropriations to support the State’s continued response to the August 2023 Maui wildfires.

Your Committee received written comments in support of this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Department of Transportation, Department of Land and Natural Resources, and Department of Budget and Finance.

Your Committee finds that the \$200,000,000 that was previously transferred into the Major Disaster Fund will be spent or obligated before the end of the current fiscal year. However, the Executive Branch expects to spend an additional \$400,000,000 in fiscal year 2023-2024 to address ongoing costs of the Maui wildfire response, primarily covering noncongregate sheltering costs, which brings the State’s total obligation to approximately \$600,000,000. Additionally, the \$600,000,000 total does not include the \$65,000,000 to pay for settlements through the One Ohana Fund.

Your Committee further finds that the costs for fiscal years 2024-2025, 2025-2026, and 2026-2027 are still unclear since both a temporary and a permanent housing plan have not yet been presented to the Legislature, which may result in additional noncongregate shelter expenses.

Your Committee notes that the lapse date for the funds deposited into the Major Disaster Fund may require an extension to meet the ongoing cash flow needs and expenses of the State.

Your Committee believes that these undetermined costs could potentially decrease the State’s carryover balance in fiscal year 2024-2025 to critically low levels that impact the State’s six-year financial plan.

Your Committee has added \$175,560,000 in capital improvement project funds to this measure, consisting of a \$63,560,000 general obligation bond authorization to the County of Maui and two capital improvement project authorizations consisting of \$40,000,000 and \$75,000,000 for the Hawaii Housing Finance and Development Corporation. Your Committee intends that these moneys be expended for infrastructure and temporary housing at the Lahaina Recreational Center, Maui Land and Pineapple in Napili, and Front Street area.

Your Committee requests that the Department of Budget and Finance provide timely reports to the Legislature on expenditures authorized in this measure.

Lastly, your Committee notes the Department of Budget and Finance's request of \$237,915,320 in general fund appropriations.

Your Committee has amended this measure by:

- (1) Increasing from \$30,000,000 to \$230,000,000 the investment capital appropriation to the Hawaii Housing Finance and Development Corporation for fiscal year 2024-2025;
- (2) Appropriating \$900,000 from the Public Utilities Commission Special Fund for consultant contracts for utility dockets;
- (3) Authorizing \$63,560,000 in reimbursable general obligation bonds for capital improvement projects involving infrastructure to be expended by the County of Maui;
- (4) Authorizing \$40,000,000 in reimbursable general obligation bonds for capital improvement projects involving temporary housing in West Maui to be expended by the Hawaii Housing Finance and Development Corporation;
- (5) Authorizing \$75,000,000 in reimbursable general obligation bonds for capital improvement projects involving modular housing for temporary units in West Maui to be expended by the Hawaii Housing Finance and Development Corporation; and
- (6) 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. 3068, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3068, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Aquino, DeCoite, Dela Cruz, Inouye, Kanuha, Kidani, Kim, Lee, Moriwaki, Wakai, Fevella). Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3060 Ways and Means on S.B. No. 3381

The purpose and intent of this measure is to establish the Lele Community District to facilitate the rebuilding of Lahaina following the destructive wildfire on August 8, 2023.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Community Development Authority; Hoomana Pono, LLC; and ten individuals.

Your Committee received written comments in opposition to this measure from two Maui County Council members; Lahaina Strong; Hawaii General Jural Assembly; We Are One, Inc.; Hawaii Alliance For Progressive Action; Maui Chamber of Commerce; Lai Hauola, and numerous individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance; Office of Elections; State Disaster Recovery Coordinator; County of Maui; Kaibigan ng Lahaina; Starn, O'Toole, Marcus and Fisher; and one individual.

Your Committee finds that the community district and board established by this measure are intended to be a model and template for all communities in Hawaii. This model is also intended to instill a strong sense of local self-governance to ensure that the future of Lahaina and other places in the State are controlled by members of those communities, for the benefit of those communities. Your Committee intends that the Lele Community District Board be established to create a path for self-determination by the Lahaina community.

Your Committee requests that the Lele Community District Board integrate the West Maui county plan in designing the master plan for the Lele Community District and establish rules for receiving community input as soon as practicable to ensure that all community voices are heard and accounted for.

Your Committee finds that the Lele Community District Board should have the authority to exercise the power of eminent domain to acquire property interests necessary for the greater public purpose; provided that the power of eminent domain may only be used to achieve the community master plan.

Your Committee further finds that there should be limits on the amounts of campaign donations to community district board candidates in an effort to encourage grassroots and community participation in board elections. Your Committee acknowledges that in the future, access to public financing may become an option if the applicable law is amended to provide for public financing for community board candidates.

Your Committee notes that the Lele Community District may need to be expanded to include communities in North Lahaina.

Accordingly, your Committee has amended this measure by:

- (1) Authorizing the Lele Community District Board to exercise the power of eminent domain under limited circumstances;
- (2) Establishing a \$100 cap during an election period on campaign contributions to a candidate seeking nomination or election to the Lele Community District Board or to a candidate committee;
- (3) Making various election requirements applicable to the Lele Community District Board; 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. 3381, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3381, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3061 Judiciary on H.B. No. 159

The purpose and intent of this measure is to exempt from the notarization requirement those applications which are submitted for a renewal of a liquor license.

Your Committee received testimony in support of this measure from the Department of Liquor Control; Liquor Commission of the City and County of Honolulu; Mayor of the County of Maui; Retail Merchants of Hawaii; Techmana, LLC; and two individuals.

Your Committee finds that existing law requires the notarization of initial applications as well as renewal applications for liquor licenses. According to the American Association of Notaries, a benefit of notarization, among other things, is to assure the document recipient that the signer was properly identified. Your Committee finds that, in the case of license renewal, where the licensee is already licensed, is known to a particular commission, and is in the system, it is unnecessary to re-identify the applicant. Your Committee further finds that requiring the notarization of a renewal application will hinder the four counties' efforts to switch to digital or electronic license renewal. This measure will streamline the liquor license renewal application process.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 159, 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 (Gabbard).

SCRep. 3062 Agriculture and Environment on H.B. No. 2104

The purpose and intent of this measure is to appropriate an unspecified amount of funds to support the Hawaii Invasive Species Council to ensure its long-term viability and prevent future problems.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawai'i Farm Bureau; Coordinating Group on Alien Pest Species; The Nature Conservancy; Hawai'i Forest Industry Association; Sierra Club of Hawai'i; Waiehu Land, L.L.C.; and one individual.

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

Your Committee finds that despite the growing threat of invasive species in the State, the annual net funding allocation for the Hawaii Invasive Species Council (Council) has not increased in over four years. Your Committee recognizes that approximately ninety percent of the Council's funding is used as bridge funding to supplement strategic interagency projects and programs under other state agencies and as competitive grants for innovative projects that address invasive species prevention, control, outreach, and research. This measure will provide necessary funding for the Council to ensure its viability to control and eradicate invasive species 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. 2104, 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. 3063 Agriculture and Environment on H.B. No. 2133

The purpose and intent of this measure is to:

- (1) Establish an Invasive Species Grant Pilot Program to provide grants through the Department of Agriculture to individuals, businesses, and organizations for the eradication of invasive species on property located in the State that is owned by the individual, business, or organization; and
- (2) Appropriate an unspecified amount of funds to provide grants under the Invasive Species Grant Pilot Program.

Your Committee received testimony in support of this measure from the Department of Agriculture; Department of Land and Natural Resources; Hawai'i Farm Bureau; Hawai'i Forest Industry Association; Sierra Club of Hawai'i; Living Life Source Foundation; Waiehu Land, L.L.C.; and two individuals.

Your Committee finds that there are property owners in the State who would like to eradicate invasive species, such as coqui frogs, in and on their property, but are unable to adequately do so because of financial factors. This measure provides financial assistance to make it affordable for individuals, businesses, and organizations to eradicate the invasive species like coqui frogs on their property, thus further mitigating the spread of invasive species 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. 2133, 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. 3064 Agriculture and Environment on H.B. No. 2139

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture to establish and implement an invasive species inspection placard program to:
 - (A) Enhance the control, removal, and eradication of invasive species on the premises of an agricultural producer; and
 - (B) Inform the public of the most recent invasive species inspection results for agricultural producers; and
- (2) Appropriate an unspecified amount of funds to mitigate the spread of the little fire ant and coconut rhinoceros beetle in the State.

Your Committee received testimony in support of this measure from the Sierra Club of Hawai'i and three individuals.

Your Committee received testimony in opposition to this measure from the Department of Agriculture.

Your Committee received comments on this measure from the Department of Land and Natural Resources, Hawai'i Farm Bureau, Coordinating Group on Alien Pest Species; and Hawai'i Farmers Union United.

Your Committee finds that horticultural trade is a high-risk pathway through which invasive pests, such as little fire ants and coconut rhinoceros beetles, are spread around the State. This measure not only will help restrict the movement of plants from a nursery, farm, or agriculture-related business that are infested with little fire ants or coconut rhinoceros beetles, but also help control the spread of these invasive pests within each island and across 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. 2139, 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 (Richards). Noes, none. Excused, none.

SCRep. 3065 Agriculture and Environment on H.B. No. 2590

The purpose and intent of this measure is to appropriate an unspecified amount of funds for food bank purchases from local farmers, to be expended by the Department of Agriculture via requests for proposals.

Your Committee received testimony in support of this measure from the Department of Agriculture; Office of Hawaiian Affairs; one member of the Kauai County Council; Ulupono Initiative; Hawaii Food Bank, Inc.; Hawai'i Farm Bureau; Hawai'i Farmers Union United; Healthy Eating + Active Living Coalition; Young Brothers, LLC; Hawaii chapter of 350.org; Hawai'i Children's Action Network Speaks!; Pele Lani Farm LLC; The Food Basket Inc.; Green Party of Hawai'i; Hawaii Medical Service Association; Go Blue Communities; Hawaii Food+ Policy; Hawaii Food Industry Association; Chamber of Sustainable Commerce; and thirty-one individuals.

Your Committee finds that the cost of food in the State has increased by more than five percent in the last twelve months. Your Committee further finds that food banks need additional support to expand its food storage capacity to combat the rise of food insecurity in the State. This measure will not only support the efforts of Hawaii's food banks, but also provide local food producers with a wider market to support their operations.

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. 2590, 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. 3066 Agriculture and Environment on H.B. No. 2619

The purpose and intent of this measure is to appropriate an unspecified amount of funds for the biosecurity program of the Department of Agriculture to develop and implement projects for clean plant material, agricultural treatments, diagnostics, and pest management.

Your Committee received testimony in support of this measure from the Department of Agriculture; Department of Land and Natural Resources; Office of the Mayor of the County of Maui; Hawai'i Farm Bureau; Maui County Farm Bureau; Hawai'i Farmers Union United; Ulupono Initiative; Land Use Research Foundation of Hawaii; Hawaii Crop Improvement Association; Hawaii Cattlemen's Council, Inc.; Ka 'Ohana O Na Pua; Hawaii Floriculture and Nursery Association; Hawai'i Forest Industry Association; Larry Jeffs Farms, LLC; Hawaii Aquaculture and Aquaponics Association; and six individuals.

Your Committee finds that the entry and establishment of a new, devastating pest or disease is an ever-present reality, given the increase and expansion of global trade and travel. Your Committee further finds that the State's biosecurity program established by the Department of Agriculture is vital to prevent and manage invasive species from entering and spreading throughout the State. This measure will provide necessary resources for the Department of Agriculture to build local capacity and execute operations to effectively protect the fragile environment of the State's island communities against invasive species on multiple fronts.

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. 2619, 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. 3067 Agriculture and Environment on H.B. No. 2546

The purpose and intent of this measure is to:

- (1) Allow for the use of fine meshed nets for the protection of plants against invasive species; and
- (2) Require the Department of Agriculture to establish a registration program for purchasers of fine meshed nets in the State.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Hawai'i Farm Bureau, Waianae Coast Comprehensive Health Center, and one individual.

Your Committee received comments on this measure from the Department of Agriculture and one individual.

Your Committee finds that treatment options to manage the coconut rhinoceros beetle are still relatively limited. Your Committee recognizes that there are no natural enemies of this beetle in the Pacific Islands. Your Committee further finds that the use of fine meshed nets is an effective alternative to pesticides and other complex treatment options that are not practical for the general public. This measure aims to further protect the delicate environment of the State from invasive pests.

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. 2546, 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. 3068 Agriculture and Environment on H.B. No. 2131

The purpose and intent of this measure is to:

- (1) Appropriate an unspecified amount of funds for the mitigation and control of the two-lined spittlebug and for the recovery of areas affected by infestation; and
- (2) Require the Department of Agriculture to submit a report to the Legislature twenty days before the Regular Session of 2025.

Your Committee received testimony in support of this measure from the Department of Agriculture; Department of Land and Natural Resources; University of Hawai'i System; Ulupono Initiative; Hawai'i Farm Bureau; Hawai'i Farmers Union United; Hawaii Cattlemen's Council, Inc.; Coordinating Group on Alien Pest Species; Big Island Invasive Species Committee; Hawai'i Forest Industry Association; Larry Jefts Farms, LLC; Sierra Club of Hawaii; and eleven individuals.

Your Committee finds that the two-lined spittlebug threatens the State's pasture lands, emerging cattle industry, the flora in watersheds, and other natural areas critical to the environment and cultural resources of the State. According to testimony received by your Committee, the two-lined spittlebug not only damages forage grasses, but also leaves pasture land vulnerable to soil loss and other invasive weeds, such as fireweed and wild blackberry. This measure aims to protect both the ranching industry and natural areas of the State against the effects of the two-lined spittlebug by funding activities to mitigate and control infestations of the two-lined spittlebug.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2131, 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. 3069 Agriculture and Environment on H.B. No. 2134

The purpose and intent of this measure is to appropriate an unspecified amount of funds to establish an unspecified number of Grant Specialist positions within the Department of Agriculture to assist farmers and ranchers in applying for, obtaining, and fulfilling the requirements of grants offered by federal, state, county, or private entities.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farm Bureau; Maui County Farm Bureau; Ulupono Initiative; Local Food Coalition; Hawai'i Farmers Union United; Land Use Research Foundation of Hawaii; Hawaii Cattlemen's Council, Inc.; Hawaii Floriculture and Nursery Association; Hawaii Aquaculture and Aquaponics Association; Hawaii Food+ Policy; and seven individuals.

Your Committee finds that there are many federal funding opportunities for agricultural purposes that remain untapped or overlooked due to the lack of adequate grant writing and expertise in the Department of Agriculture. This measure enhances the Department's capacity to pursue and maximize the availability of federal funds to bolster the State's efforts towards food security and sustainability, while easing the burden of complex application procedures and compliance challenges on farmers, ranchers, and other agricultural operators who pursue federal and other funding.

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. 2134, 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. 3070 Agriculture and Environment on H.B. No. 2390

The purpose and intent of this measure is to:

- (1) Require the Public Utilities Commission (PUC) to explicitly consider the effect of the State's reliance on fossil fuels on lifecycle greenhouse gas emissions when making determinations of the reasonableness of costs pertaining to electric or gas utility system capital improvements and operations;
- (2) Allow the PUC the discretion to require a lifecycle greenhouse gas emissions assessment for energy projects that do not involve the combustion of fuel; and
- (3) Clarify that the PUC, to lower and stabilize the cost of electricity, consider, in part, the costs and benefits of a diverse portfolio of energy resources, rather than a diverse portfolio of fossil fuels.

Your Committee received testimony in support of this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Hawaii State Energy Office, Public Utilities Commission, Hawai'i Climate Change Mitigation and Adaptation Commission, Life of the Land, Hawaiian Electric, Hawaii Clean Power Alliance, and one individual.

Your Committee finds that, when determining the reasonableness of the costs regarding energy projects of electric and gas systems, the PUC is required to conduct an analysis to consider the effect of the State's reliance on fossil fuels on certain matters, such as greenhouse gas emissions. Your Committee notes that requiring the PUC to consider lifecycle emissions would provide a more accurate assessment of the electric or gas utility system capital improvements and operations that involve the combustion of fuel, thus facilitating informed decision-making and protecting the public interest. Your Committee also recognizes that by giving the PUC discretion to conduct these costly and time-consuming analyses for projects with zero generation-based greenhouse gas emissions, this measure reduces costs to ratepayers while supporting more timely review of energy projects 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. 2390, 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, 5. Noes, none. Excused, none.

SCRep. 3071 Agriculture and Environment on H.B. No. 2644

The purpose and intent of this measure is to appropriate an unspecified amount of funds to support the Hawaii Ant Lab in mitigating the effects of little fire ants in the State, including for the hiring of an unspecified number of staff, community outreach, and operations.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Farm Bureau, Coordinating Group on Alien Pest Species, Hawai'i Farmers Union United, Ka 'Ohana O Na Pua, Big Island Invasive Species Committee, Sierra Club of Hawai'i, and three individuals.

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

Your Committee finds that the Hawaii Ant Lab was established in 2009 to address the overwhelming need for research and assistance to address and eradicate little fire ants and other invasive ants in the State. Your Committee recognizes that little fire ants have caused significant disruption and economic damage on Hawaii Island and that little fire ant infestations on Oahu are currently on the rise. This measure supports the Hawaii Ant Lab's efforts to add new staff and address the short- and long-term needs to control little fire ants.

Your Committee notes the Department of Agriculture's position that little fire ants cause a serious enough impact to native species and the environment to warrant dedicated, sustained funding to coordinate the diverse needs required for the detection, management, research, and control of invasive ant species and the contextual basis of operational knowledge at federal, state, and local levels to advance the Department's ability to detect, protect, and respond to invasive ant species. Your Committee further notes the following funding requests from the Department of Agriculture:

- (1) \$78,000 for the creation of an exempt entomologist position (SR-26) within the Plant Pest Control Branch to serve as the State's lead on little fire ants and invasive ant issues in recognition of the specialized background and skills required to lead such an effort;
- (2) \$1,000,000 to support the development of new facilities for the Plant Pest Control Branch to allow rigorous research and development into invasive ants; and
- (3) \$500,000 to provide funding to support the Hawaii Ant Lab to work in partnership with Plant Pest Control Branch.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2644, 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. 3072 Agriculture and Environment on H.B. No. 2337

The purpose and intent of this measure is to amend the membership of the Advisory Committee on Pesticides by replacing the statutory requirement for representatives from the pineapple and sugar industries with representatives from the coffee and diversified agriculture industries.

Your Committee received testimony in support of this measure from the Department of Agriculture, University of Hawai'i System, Office of Hawaiian Affairs, Hawai'i Farm Bureau, Hawai'i Farmers Union United, Hawai'i Alliance for Progressive Action, and one individual.

Your Committee received comments on this measure from the Department of Attorney General.

Your Committee finds that since the 1970s, the number of sugar and pineapple plantations in the State has greatly decreased, giving way to producers of coffee and other diversified agriculture. By updating the membership of the Advisory Committee on Pesticides to better reflect the existing composition of the agriculture industry in the State would allow for a broader and more accurate representation on the Advisory Committee on Pesticides, thereby contributing to the development of more effective and equitable pesticide laws and rules.

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 H.B. No. 2337, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2337, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3073 Agriculture and Environment on H.B. No. 2136

The purpose and intent of this measure is to require the Department of Agriculture to establish and implement a pesticide inspection program that:

- (1) Increases compliance with proper use of restricted use pesticides by agricultural producers;
- (2) Ensures the continued prohibition on the use of chlorpyrifos; and
- (3) Informs the public of the most recent pesticide inspection results for agricultural producers.

Your Committee received testimony in support of this measure from the Hawai'i Farmers Union United, Hawai'i Alliance for Progressive Action, Democratic Party of Hawai'i, and six individuals.

Your Committee received comments on this measure from the Department of Agriculture, Hawai'i Farm Bureau, and Hawaii Crop Improvement Association.

Your Committee finds that pesticide exposure can cause significant harm to public health and the environment, especially restricted use pesticides, as deemed by the State. This measure will protect the health of the environment and people by increasing compliance with the pesticides law through inspections and promoting transparency and accountability within the agricultural sector regarding the use of restricted use pesticides in the State.

Your Committee recognizes that the Department of Agriculture currently has a fully functional pesticide inspection program that is implemented by its Pesticides Branch. Your Committee notes that the Pesticides Branch uniformly inspect and regulates the use of restricted use and general use pesticides by all users, including those of the landscaping, ornamental and nursery, and pest control industries. Your Committee further notes that the results of the Pesticides Branch's inspections are already available to the public via a records request under Hawaii's Public Records Law or the Department of Agriculture's website.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have required the pesticide inspection program to inform the public of the most recent pesticide inspection results for agricultural producers; and
- (2) Deleting references to agricultural producers, including the definition of an agricultural producer, to expand the scope of the pesticide inspection program to apply to all users of restricted use pesticides, including chlorpyrifos.

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. 2136, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2136, H.D. 2, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3074 Hawaiian Affairs on Gov. Msg. Nos. 568 and 569

Recommending that the Senate advise and consent to the nominations of the following:

ISLAND BURIAL COUNCIL - ISLAND OF HAWAI'I

G.M. No. 568 I'INIMAICALANI KAHAKALAU, for a term to expire 06-30-2027; and

G.M. No. 569 CAYLA CRIVELLO, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by I'inimaikalani Kahakalau and Cayla Crivello for service on the Island Burial Council, Island of Hawai'i.

I'INIMAIKALANI KAHAKALAU

Your Committee received testimony in support of the nomination for the appointment of I'inimaikalani Kahakalau from the Department of Land and Natural Resources and one individual.

Ms. Kahakalau is a resident of Hamakua, Hawaii. She is currently a partner at Kū-A-Kanaka, LLC and the project director for Basic Hawaiian. Her responsibilities include projects on social media, creating games, providing technical support, and overseeing the online Hawaiian language and culture program. Ms. Kahakalau is fluent in 'Ōlelo Hawai'i and a lifelong practitioner of Hawaiian cultural practices with knowledge of Hawaiian stories, chants, songs, and native science. She is an innovator that unites her cultural practices with place-based education in which she serves her community. Your Committee therefore recommends that I'inimaikalani Kahakalau be appointed to the Island Burial Council, Island of Hawai'i based on her knowledge, experience, and commitment to public service.

CAYLA CRIVELLO

Your Committee received testimony in support of the nomination for the appointment of Cayla Crivello from the Department of Land and Natural Resources.

Ms. Crivello currently lives in Kailua-Kona, Hawaii where she serves as a cultural liaison at Hokulia Park and the Cultural Sites Association. Her responsibilities include activities that use GIS modeling capabilities, train restoration, and coordinating site visits. She has experience in the process and protocols associated with the Ala Kahakai National Historic Trail and Kaupulehu Dryland Forest Reserve. Ms. Crivello also possesses expertise in GIS hardware, cultural practices, and conservation in Hawaii. Your Committee therefore recommends that Cayla Crivello be appointed to the Island Burial Council, Island of Hawai'i based on her knowledge, experience, and commitment to public service.

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, 5. Noes, none. Excused, none.

SCRep. 3075 Hawaiian Affairs on Gov. Msg. No. 570

Recommending that the Senate advise and consent to the nomination of the following:

ISLAND BURIAL COUNCIL (MAUI/LANAI)

G.M. No. 570 DWIGHT BURNS, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Dwight Burns for service on the Island Burial Council (Maui/Lanai).

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Your Committee received testimony in support of the nomination for the appointment of Dwight Burns from the Department of Land and Natural Resources, Operating Engineers Local Union No. 3, and one individual.

Mr. Burns resides on Maui and will represent Makawao. He currently serves as the Maui island representative for the Hawaii Operating Engineers Industry Stabilization Fund where he monitors compliance of city, state, and federally funded construction contracts. Previously, he worked as an excavator operator. As an excavator operator, Mr. Burns worked on projects across the State and worked alongside archaeologists to ensure the best outcomes for iwi kupuna found on construction sites. Mr. Burns is also a member of Go Maui Inc., an organization that engages and represents local residents on key initiatives and issues that affect Maui's quality of life and champions for a cohesive community on Maui. Your Committee therefore recommends that Dwight Burns be appointed to the Island Burial Council (Maui/Lanai) based on his knowledge, background, 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, 5. Noes, none. Excused, none.

SCRep. 3076 Hawaiian Affairs on Gov. Msg. No. 571

Recommending that the Senate advise and consent to the nomination of the following:

ISLAND BURIAL COUNCIL (KAUAI/NIIHAU)

G.M. No. 571 JOHNETTE KAHALEKAI, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Johnette Kahalekai for service on the Island Burial Council (Kauai/Niihau).

Your Committee received testimony in support of the nomination for the appointment of Johnette Kahalekai from the Department of Land and Natural Resources.

Ms. Kahalekai previously served on the Kauai Island Burial Council for eight years with a term that ended in June 2023. She is a musician and practices the Hawaiian healing arts of Ho'oponopono, La'au Lapa'au Lomilomi, and Kahuna Ha. Her experience on the Kauai Island Burial Council has deepened her understanding of Hawaiian Land Trust laws, traditional burial customs and practices,

and other state laws and policies. Your Committee therefore recommends that Johnette Kahalekai be appointed to the Island Burial Council (Kauai/Niihau) based on her knowledge, background, 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, 5. Noes, none. Excused, none.

SCRep. 3077 Public Safety and Intergovernmental and Military Affairs on Gov. Msg. No. 539

Recommending that the Senate advise and consent to the nomination of the following:

CRIME VICTIM COMPENSATION COMMISSION

G.M. No. 539 CLIFTON CHOY, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Clifton Choy for service on the Crime Victim Compensation Commission.

Your Committee received testimony in support of the nomination for the reappointment of Clifton Choy from the Department of Corrections and Rehabilitation, Crime Victim Compensation Commission, and two individuals.

Upon review of the testimony, your Committee finds that Mr. Choy's background and extensive experience qualify him to be nominated for reappointment to the Crime Victim Compensation Commission as an at-large member. Your Committee notes that Mr. Choy currently serves as a Commissioner of the Crime Victim Compensation Commission. The Crime Victim Compensation Commission assists victims of violent crime by providing compensation for crime-related expenses. Mr. Choy spent twenty-eight years with the Department of the Prosecuting Attorney where he worked as a Victim Witness Advocate and later as Supervisor to the Misdemeanor Branch of the Victim Witness Division, acting on behalf of victims as their cases moved through the judicial system. He has worked with victims in every branch of victim witness kokua services, including misdemeanor and felony cases. Mr. Choy is very aware of the impact of violent crime on victims and will be able to ensure that victims are treated with dignity and respect as a commissioner. Your Committee therefore recommends that Clifton Choy be appointed to the Crime Victim Compensation 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 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. 3078 Public Safety and Intergovernmental and Military Affairs on Gov. Msg. No. 619

Recommending that the Senate advise and consent to the nomination of the following:

ADMINISTRATOR, STATE COUNCIL FOR THE INTERSTATE COMPACT FOR JUVENILES

G.M. No. 619 KRISTIN DAVIDSON, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Kristin Davidson for service on the State Council for the Interstate Compact for Juveniles (ICJ).

Your Committee received testimony in support of the nomination for the reappointment of Kristin Davidson from the Judiciary, Godwits Mercy Inc., Women Speaking Out, and seventeen individuals.

Upon review of the testimony, your Committee finds that Ms. Davidson's experience and knowledge qualify her for reappointment to the State Council for the Interstate Compact for Juveniles. Your Committee notes that Ms. Davidson currently works as a Social Services Manager for the Hawaii State Judiciary and serves as the Compact Administrator for the State Council for the Interstate Compact for Juveniles. Ms. Davidson has fourteen years of experience in youth social services with positions ranging from Juvenile Probation Officer to Special Advocate. She serves on multiple committees related to youth sexual exploitation, family courts, police officer training, and labor management to better educate entities and agencies about juvenile justice. Ms. Davidson is knowledgeable of local communities and regularly works with volunteers, community partners, and local resources to ensure the best interests of juveniles and juvenile special services. Your Committee therefore recommends that Kristin Davidson be appointed to the State Council for the Interstate Compact for Juveniles based on her experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Public Safety 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. 3079 Agriculture and Environment on Gov. Msg. No. 593

Recommending that the Senate advise and consent to the nomination of the following:

DEPUTY TO THE CHAIRPERSON, DEPARTMENT OF AGRICULTURE

G.M. No. 593 DEXTER KISHIDA, for a term to expire 12-31-2026

Your Committee reviewed the personal history, resume, and statement submitted by Dexter Kishida for service as the Deputy to the Chairperson of the Board of Agriculture.

Your Committee received testimony in support of the nomination for the appointment of Dexter Kishida from the Governor; Department of Agriculture; Department of Accounting and General Services; Department of Budget and Finance; Department of Business, Economic Development, and Tourism; Department of Commerce and Consumer Affairs; Department of Corrections and Rehabilitation; Department of Defense; Department of Education; Department of Hawaiian Home Lands; Department of Health; Department of Labor and Industrial Relations; Department of Land and Natural Resources; Department of Law Enforcement; Department of Taxation; Department of Transportation; Agribusiness Development Corporation; County of Hawaii Department of Research and Development; County of Kauai Office of Economic Development; Hawai'i Farm Bureau; Coordinating group on Alien Pest Species; Ulupono Initiative; Kōkua Hawai'i Foundation; Malama Kauai; Hawaii Tea Society; C & C Tropicals; Maui Epicure LLC; Hawaii Tropical Fruit Growers; North Shore Economic Vitality Partnership; Kekaha Agriculture Association; Pacific American Foundation; Feed the Hunger Fund; Hawaii Food Industry Association; Larry Jeffs Farms, LLC; Hawaii Good Food Alliance; Hawaii Cattlemen's Council, Inc.; Ka 'Ohana O Na Pua; Kona Coffee Farmers Association; Kauai Chamber of Commerce; Kauai Economic Development Board, Inc.; Hawaii Ant Lab; Synergistic Hawaii Agriculture Council; Rancho Aloha; Hawai'i Farmers Union United; Hawaii Floriculture and Nursery Association; Commercial and Business Lending; Hawai'i Investment Ready; Nuestro Futuro, Inc.; Slow Money Hawai'i; and fifty-one individuals.

With nearly fifteen years' experience, Mr. Kishida's background in food security and sustainability, systematic planning and program development, and government relations has provided him with a wealth of knowledge and relationships in the local agriculture industry in the State. Mr. Kishida has been serving as the Acting Deputy to the Chairperson of the Board of Agriculture over the past seven months. Mr. Kishida initially joined the Department of Agriculture in July 2023 as the Plant Industry Administrator and was nominated to serve as the Deputy to the Chairperson of the Board of Agriculture in September 2023. Prior to that, Mr. Kishida was the inaugural Food Security and Sustainability Program Manager for the City and County of Honolulu, where he secured over \$30,000,000 in federal, state, city, and private capital in 2.5 years. Mr. Kishida has also served as a Farm to School Coordinator and School Food Services Supervisor for the Department of Education for eight years and as a School Food Coordinator of Kokua Hawaii Foundation from 2009 to 2012.

As evidenced by the unanimous supportive testimony submitted on his behalf, Mr. Kishida is well-respected and liked. Testimony in support of his nomination indicates that he has a proven track record of being a proactive collaborator and effective problem solver with multiple levels of government and across private, public, and non-profit sectors. Testifiers who have worked closely with Mr. Kishida commented on his impressive reputation, work ethic, and understanding of the various intricacies of and issues for farm and food operations in the State.

Mr. Kishida's passion for and commitment to fostering a robust agriculture industry, including developing an innovative aquaculture sector, increasing biosecurity, and reducing agricultural crimes, and to improving the quality of life for the people of Hawaii make Dexter Kishida well-suited to serve as the Deputy Chairperson of the Board of 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, 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. 3080 (Majority) Public Safety and Intergovernmental and Military Affairs on H.B. No. 1611

The purpose and intent of this measure is to require law enforcement agencies and the Law Enforcement Standards Board to:

- (1) Consult the National Decertification Index; and
- (2) Report certain information related to a law enforcement officer's certification status to the Index.

Your Committee received testimony in support of this measure from ACLU of Hawaii.

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 by the Department of Law Enforcement.

Your Committee finds that the use of force by law enforcement officers to impose laws should be held to the highest standards to ensure that this authority is not abused. Your Committee notes that current statute does not require an employing law enforcement agency to consult with the National Decertification Index when hiring a potential law enforcement officer. Additionally, law enforcement agencies are not required to report records of employed officers to the Index. This measure will help ensure that law enforcement officers serving within the State possess the highest moral standards and character by requiring the use of the National Decertification Index as part of a law enforcement agency's determination of an applicant's employment suitability.

Your Committee has amended this measure by:

- (1) Making it effective on July 1, 2025; and
- (2) Making 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. 1611, H.D. 2, as amended herein,

and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1611, 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. 3081 Public Safety and Intergovernmental and Military Affairs on H.B. No. 2016

The purpose and intent of this measure is to appropriate funds for the installation of a new outdoor emergency siren in the Pacific Palisades area of Oahu.

Your Committee received testimony in support of this measure from the Pearl City Neighborhood Board No. 21; and three individuals.

Your Committee received comments on this measure from the Hawai'i Emergency Management Agency.

Your Committee finds that there have been complaints that the residents living in the Pacific Palisades area of Oahu are unable to hear the emergency siren located at Pearl City High School, and the emergency siren at Palisades Elementary School has been inoperative for several years. Your Committee notes that it is imperative for communities to be notified of a civil defense emergency in order to take necessary safety measures. This measure will appropriate funds for an emergency siren, which will ensure that residents in the Pacific Palisades area may hear an emergency siren in the event of an emergency.

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 \$200,000 for fiscal year 2024-2025.

Your Committee has amended this measure by inserting an effective date of July 1, 2042, 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 H.B. No. 2016, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2016, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3082 Public Safety and Intergovernmental and Military Affairs on H.B. No. 2396

The purpose and intent of this measure is to authorize the payment of allowances for TRICARE Reserve Select coverages to junior officers, warrant officers, or enlisted personnel of the Hawaii National Guard ordered to active duty for more than thirty days in service to the State.

Your Committee received testimony in support of this measure from the Department of Defense and one individual.

Your Committee finds that there has been an increase in natural disasters throughout the State, which has led to numerous Hawaii National Guard service members ordered to active duty in response for extended periods, resulting in many service members losing their civilian company-provided health care coverage. Your Committee further finds that to require service members be on active duty without any health care coverage is an unfair request. This measure demonstrates the State's commitment to supporting its National Guard members and will improve retention by providing them with adequate access to health care coverage.

Your Committee has amended this measure by inserting an effective date of July 1, 2042, 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 H.B. No. 2396, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2396, 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. 3083 (Majority) Public Safety and Intergovernmental and Military Affairs on H.B. No. 2457

The purpose and intent of this measure is to:

- (1) Expand the requirement that the Department of Law Enforcement pursue and obtain accreditation from the Commission on Accreditation for Law Enforcement Agencies, Inc., to all divisions and sections within the Department; and
- (2) Establish five Commission Accreditation for Law Enforcement Agencies, Inc. coordinator positions, exempt from civil service, within the Department of Law Enforcement.

Your Committee received testimony in support of this measure from the Department of Law Enforcement and State of Hawaii Organization of Police Officers.

Your Committee finds that Act 278, Session Laws of Hawaii 2022, established a new Department of Law Enforcement to consolidate and administer state criminal law enforcement and investigations functions for the purpose of providing the highest level of law enforcement service for the public, state employees, and state properties by centralizing state law enforcement functions. Your Committee recognizes that it is critical to increase public safety, improve decision-making, promote accountability, streamline communication, decrease costs, reduce duplication of efforts, and provide uniform training and standards within the Department of

Law Enforcement. This measure seeks to support the Department of Law Enforcement with these public safety goals by helping the Department to achieve accreditation from the Commission on Accreditation for Law Enforcement Agencies, Inc.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2042, 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 H.B. No. 2457, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2457, 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. 3084 Public Safety and Intergovernmental and Military Affairs on H.B. No. 2515

The purpose and intent of this measure is to clarify the types of events that constitute disasters and emergencies for the purposes of emergency management.

Your Committee received testimony in support of this measure from the Grassroot Institute of Hawaii.

Your Committee received testimony in opposition to this measure from the Hawai'i Emergency Management Agency.

Your Committee finds that currently the Governor has broad powers to define what constitutes an emergency. Your Committee further finds that governing via executive order has the effect of denying the public a voice on important issues, forcing the people to rely on the courts for redress. By creating a clear definition of the events that constitute an "emergency" or "disaster" in statute, this measure will limit the potential for executive overreach via emergency orders.

Your Committee has amended this measure by inserting an effective date of July 1, 2042, 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 H.B. No. 2515, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2515, 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. 3085 Public Safety and Intergovernmental and Military Affairs on H.B. No. 1842

The purpose and intent of this measure is to:

- (1) Increase the maximum fine for violations of the fire protection laws;
- (2) Specify that each day a violation exists or continues to exist shall constitute a distinct and separate offense;
- (3) Raise the criminal penalty for the offense of arson in the fourth degree to a class C felony if the offense was committed during the time and within the geographic area in which a red flag warning was in effect; and
- (4) Provide that the state of mind requirement is not applicable to the fact that the red flag warning was in effect and that the actor is strictly liable with respect to the attendant circumstance that the red flag warning was in effect.

Your Committee received testimony in support of this measure from the Department of Land Natural Resources, Honolulu Police Department, and Maui Chamber of Commerce.

Your Committee finds that following the August 2023 Maui wildfires, six working groups were established to evaluate the aftermath of the wildfires and make recommendations for appropriate legislative action in the next legislative session. Your Committee further finds that these working groups collaborated with federal, state, and county agencies, along with community stakeholders and interested parties, to identify immediate issues that require temporary or transitional relief for the people and businesses of West Maui. The joint final report, which was released in December 2023, contained recommendations including but not limited to penalties for violations of state fire protection laws and criminal penalties for arson during red flag warnings. Accordingly, this measure will deter certain actions that lead to a heightened risk of wildfires.

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. 1842, 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. 3086 (Majority) Public Safety and Intergovernmental and Military Affairs on H.B. No. 2231

The purpose and intent of this measure is to:

- (1) Establish as a goal of the State the increased representation of female law enforcement officers in the State by 2030; and
- (2) Require each law enforcement agency to recruit law enforcement officers from diverse backgrounds.

Your Committee received testimony in support of this measure from the Department of Law Enforcement, Honolulu Police Department, State of Hawaii Organization of Police Officers, Stonewall Caucus of the Democratic Party of Hawai'i, ACLU of Hawai'i, Rainbow Family 808, and one individual.

Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that according to the President's Task Force on Twenty—First Century Policing, increasing the diversity of law enforcement agencies throughout the nation is critical to developing trust between law enforcement agencies and the public. Your Committee further finds that nearly all modern national reports on law enforcement recommend the increased employment of women and minorities in law enforcement. This measure will promote the representation of women officers and increase diversity in law enforcement.

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. 2231, 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, 1 (Awa). Excused, none.

SCRep. 3087 Hawaiian Affairs on H.B. No. 2218

The purpose and intent of this measure is to amend the Hawaiian Homes Commission Act of 1920, as amended, to increase the loan limit for direct loans provided by the Department of Hawaiian Home Lands from fifty percent to seventy-five percent of the maximum single residence loan amount allowed in Hawaii by the United States Department of Housing and Urban Development's Federal Housing Administration.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and Office of Hawaiian Affairs.

Your Committee finds that under the Hawaiian Homes Commission Act of 1920, as amended, the Department of Hawaiian Home Lands is authorized to provide direct loans to beneficiaries for the repair, maintenance, purchase, and erection of a dwelling, provided that these loans do not exceed fifty percent of the maximum single residence loan amount allowed in Hawaii by the United States Department of Housing and Urban Development's Federal Housing Administration. Native Hawaiian beneficiaries are in need of more financial assistance due to rising construction and development costs. This measure raises the loan limit for a single residence loan amount to allow beneficiaries to purchase a home or make improvements to their existing home.

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 Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2218, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2218, 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. 3088 (Majority) Public Safety and Intergovernmental and Military Affairs on H.B. No. 2193

The purpose and intent of this measure is to:

- (1) Authorize law enforcement and fire officers to enter and inspect any licensee's or permittee's premises, under certain conditions, to verify compliance with the State's Fireworks Control Law;
- (2) Establish procedures for the Department of Law Enforcement to conduct administrative inspections of controlled premises;
- (3) Require certain licensees and permittees to keep records and maintain inventories;
- (4) Require licensees and permittees to report any stolen fireworks or articles pyrotechnic;
- (5) Authorize a law enforcement agency or county fire department to safely dispose confiscated fireworks and articles pyrotechnic;
- (6) Require violators to be held liable for storage and disposal costs;
- (7) Specify that each type of prohibited firework constitutes a separate violation;
- (8) Authorize the Department of Law Enforcement, in addition to the counties, to enforce the Fireworks Control Law; and
- (9) Make an appropriation.

Your Committee received testimony in support of this measure from the Department of Law Enforcement, Hawaiian Humane Society, and seven individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that Act 67, Session Laws of Hawaii 2023, created the Illegal Fireworks Task Force to, among other things, plan, coordinate, and engage in law enforcement operations to interdict illegal fireworks. Your Committee further finds that almost

two hundred thousand pounds of illegal fireworks have been taken off the streets of Hawaii since the inception of the Task Force. This measure will address some of the weaknesses identified by the Illegal Fireworks Task Force that include requirements for licensing, recording, and reporting of fireworks related commodities; inspection and disposal authorities for state and county agencies; and a mechanism to recover costs associated with the storage and disposal from those responsible for any illegal fireworks confiscated by authorities.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2042, to encourage further discussion; and
- (2) 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 \$1,200,000 for fiscal year 2024-2025.

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. 2193, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2193, 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, 1 (Awa). Excused, none.

SCRep. 3089 Public Safety and Intergovernmental and Military Affairs on H.B. No. 2241

The purpose and intent of this measure is to appropriate funds for civilian auxiliary aviation services performed by the Civil Air Patrol.

Your Committee received testimony in support of this measure from the Civil Air Patrol.

Your Committee finds that for more than seventy-five years, the Civil Air Patrol has assisted emergency management agencies throughout the nation with response and recovery efforts during and after a disaster. A nonprofit organization, the Civil Air Patrol recruits volunteers to fulfill its emergency, education, and cadet programs and services. Your Committee further finds that during the August 2023 Maui wildfires, the Civil Air Patrol provided essential aerial reconnaissance to help fight fires. This measure will appropriate funds to the Civil Air Patrol in order to retain these critical services in times of emergencies.

Your Committee has amended this measure by:

- (1) Adding language that provides that bylaw or policy requirements shall not apply to any incorporated agency or instrumentality of the United States wholly owned by the United States or by a corporation wholly owned by the United States;
- (2) Adding language that requires, beginning in fiscal year 2025-2026, funds required to be appropriated to carry on the operations and defray the expenses of the Civil Air Patrol be included in the Department of Defense's annual budget request;
- (3) Inserting an effective date of July 1, 2042, 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 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. 2241, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2241, 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. 3090 (Majority) Public Safety and Intergovernmental and Military Affairs on H.B. No. 2352

The purpose and intent of this measure is to:

- (1) Exempt the Administrator of the Law Enforcement Standards Board from civil service laws;
- (2) Clarify membership and certain powers and duties of the Law Enforcement Standards Board; and
- (3) Establish new deadlines for the completion of the Law Enforcement Standards Board's responsibilities.

Your Committee received testimony in support of this measure from the Department of Law Enforcement and Department of the Attorney General.

Your Committee received testimony in opposition to this measure from the State of Hawaii Organization of Police Officers and ACLU of Hawai'i.

Your Committee finds that section 139—2, Hawaii Revised Statutes, established a Law Enforcement Standards Board for the certification of law enforcement officers. Your Committee further finds that the Law Enforcement Standards Board has broad jurisdiction and is responsible for developing standards, establishing curriculums, and regulating certification requirements for law enforcement officers. Your Committee believes that these important and substantial duties are critical to ensuring that existing legal obligations are not compromised.

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 H.B. No. 2352, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2352, 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, 1 (Awa). Excused, none.

SCRep. 3091 Public Safety and Intergovernmental and Military Affairs on H.B. No. 2483

The purpose and intent of this measure is to authorize the Department of Corrections and Rehabilitation to search criminal histories and fingerprint records of current and prospective volunteers and purchase of service contracted and subcontracted service providers and their employees who are directly involved in providing correctional programs, treatment, and services to persons committed to a correctional facility or places them in close proximity to persons committed when providing services on behalf of the Department or the correctional facility.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation.

Your Committee finds that the Department of Corrections and Rehabilitation requires that background checks be performed on all current and prospective volunteers and contracted and subcontracted service providers and their employees who are directly involved in providing correctional programs, treatment, and services to persons committed to a correctional facility. Your Committee further finds that the Department of Corrections and Rehabilitation currently does not have the statutory authority to conduct criminal history record checks on volunteers and contracted and subcontracted service providers. This measure will ensure that correctional programs and services are staffed with qualified individuals and volunteers.

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 is in accord with the intent and purpose of H.B. No. 2483, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2483, 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. 3092 Public Safety and Intergovernmental and Military Affairs on H.B. No. 2610

The purpose and intent of this measure is to:

- (1) Establish a Disaster Relief Match Special Fund to support the local match requirements of the FEMA Maui Wildfires Hazard Mitigation Grant Program for projects that implement mitigation measures to prevent and minimize the impacts of natural hazards affecting the State; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Hawai'i Emergency Management Agency, Office of the Mayor of the County of Maui, one member of the Maui County Council, Maui Chamber of Commerce, and State Hazard Mitigation Forum.

Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that after the August 2023 Maui wildfires, the Federal Emergency Management Agency provided response support and continues to offer recovery assistance via several programs, including the Hazard Mitigation Grant Program. Your Committee further finds that while the Hazard Mitigation Grant Program can be effective in assisting communities in recovery efforts, the Grant Program requires a match from non-federal funds. This measure will ensure the full and efficient use of the Hazard Mitigation Grant Program by establishing a special fund for local match requirements.

Your Committee has amended this measure by inserting an effective date of July 1, 2042, 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 H.B. No. 2610, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2610, 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. 3093 (Majority) Housing on H.B. No. 1633

The purpose and intent of this measure is to remove the leasing restriction on owner-builders who obtain an owner-builder exemption to act as their own contractor and who build or improve residential or farm buildings or structures on their own property and do not offer the buildings or structures for sale.

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 Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs and Contractors License Board.

Your Committee finds that Hawaii is currently in the middle of a housing shortage, including affordable rental housing. The escalating demand for rental properties, coupled with limited housing supply, has led to increased housing costs and economic strain on families throughout the State. Current regulations and barriers hinder homeowners in Hawaii from efficiently converting their single-family properties into multi-family dwellings, limiting their ability to actively participate in addressing the housing shortage. Therefore, this measure aims to resolve this issue by removing a major barrier faced by homeowners attempting to utilize their own property to construct additional dwellings.

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 H.B. No. 1633, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1633, 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, 3. Noes, 1 (Awa). Excused, 1 (Kanuha).

SCRep. 3094 Housing on H.B. No. 1808

The purpose and intent of this measure is to:

- (1) Expand the counties' authorization to exercise the same powers as the Hawaii Housing Finance and Development Corporation for purposes of developing, constructing, financing, refinancing, or providing mixed-income projects and mixed-use developments; and
- (2) Authorize units in low- and moderate-income housing projects to be made available to households with higher incomes if there is an insufficient number of persons or families who meet income qualifying requirements.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Office of Planning and Sustainable Development, City and County of Honolulu Department of Planning and Permitting, City and County of Honolulu Office of Housing, Maui Chamber of Commerce, one member of the Maui County Council, and one individual.

Your Committee received comments on this measure from the Disability and Communication Access Board and Grassroot Institute of Hawaii.

Your Committee finds that while the Hawaii Housing Finance and Development Corporation may facilitate the development, construction, financing, refinancing, or other provision of mixed-income projects and mixed-use developments, including low- and moderate-income housing projects, the counties are not allowed to facilitate mixed-income projects and mixed-use developments. This is despite existing law giving the counties similar housing powers and the counties sharing a burden in promoting transit-oriented development, urban revitalization, and the conversion of office and commercial space to residential space. Therefore, this measure aims to combat the State's housing shortage by bringing certain county powers in line with the State's power to facilitate the development, construction, financing, refinancing, or other provision of mixed-income projects and mixed-use developments, including low- and moderate-income housing projects, and to issue county bonds for this purpose.

Your Committee notes that the companion to this measure, S.B. No. 2337 S.D. 2 (Regular Session of 2024), which was previously passed by the Senate, is a substantially similar measure that also expands the counties' authorization to exercise the same powers as the Hawaii Housing Finance and Development Corporation for purposes of developing, constructing, financing, refinancing, or providing mixed-use developments. Your Committee concludes that the language in S.B. No. 2337, S.D. 2, is preferable because it does not contain language that makes the measure applicable to mixed-income projects. Your Committee further finds that the language in S.B. No. 2337, S.D. 2, will be repealed when section 46-15.1, Hawaii Revised Statutes, is repealed and reenacted, in the form in which it read on the day before the approval of this measure, on June 30, 2028.

Accordingly, your Committee has amended this measure by deleting its contents and inserting the contents of S.B. No. 2337, S.D. 2, a substantially similar measure, which authorizes each county to exercise the same powers as the Hawaii Housing Finance and Development Corporation for the purposes of developing, constructing, financing, refinancing, and otherwise providing mixed-use developments, including low- and moderate-income 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 H.B. No. 1808, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1808, 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 (Kanuha).

SCRep. 3095 (Majority) Housing on H.B. No. 2328

The purpose and intent of this measure is to:

- (1) Appropriate funds to the Hawaii Public Housing Authority to acquire and renovate parcels and buildings located between Bethel Street, Pauahi Street, Fort Street, and Chaplain Lane in Honolulu, Oahu, for affordable housing purposes;
- (2) Require units to be affordable to households having an income that does not exceed a certain percentage of the Area Median Income; and

- (3) Require contracts awarded under this measure to be subject to the competitive sealed proposal method under the State's Public Procurement Code.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Hawaii Public Housing Authority, Diocese 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 Disability and Communication Access Board and Scarlet Honolulu.

Your Committee finds that Hawaii's housing shortage continues to be one of the State's most challenging social problems with a persistently low inventory of housing stock creating a market where local residents have consistently been priced out of rentals and unable to attain homeownership. Therefore, this measure aims to combat this issue by promoting the adaptive reuse of existing, underutilized buildings for housing purposes.

Your Committee notes the concerns raised by the Office of Homelessness and Housing Solutions, Scarlet Honolulu, and individual testifiers regarding the existing businesses in these locations, as well as the issues of historic preservation. Your Committee also notes that the State does not intend to remove existing ground floor commercial tenants.

Your Committee has amended this measure by replacing the Hawaii Public Housing Authority with the Hawaii Housing Finance and Development Corporation as the agency to acquire the parcels.

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. 2328, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2328, 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, 1 (Awa). Excused, 1 (Kanuha).

SCRep. 3096 Housing on H.B. No. 1833

The purpose and intent of this measure is to:

- (1) Appropriate funds into and out of the Rental Housing Revolving Fund to provide loans or grants for mixed-income rental projects or units in mixed-income rental projects for qualifying individuals and families; and
- (2) Appropriate funds for finance specialist positions.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Catholic Charities Hawai'i, Partners in Care, Hawai'i Association of REALTORS, Pacific Housing Assistance Corporation, Maui Chamber of Commerce, NAIOP Hawaii, and one individual.

Your Committee finds that historically the Hawaii Housing Finance and Development Corporation prioritized the award of Rental Housing Revolving Fund funds to projects that received federal and state Low-Income Housing Tax Credit allocations, resulting in most of the Rental Housing Revolving Fund being used for tier 1 households, which are households with incomes below sixty percent of the area median incomes. Your Committee also finds that in 2022, the Legislature broadened the scope of the Rental Housing Revolving Fund to assist tier 2 households, or households with incomes between sixty and one hundred percent of the area median income. Therefore, this measure aims to ensure the financial feasibility of tier 2 projects and to reduce the state subsidy to affordable rental units serving lower area median incomes by raising the income limit.

Your Committee has amended this measure by:

- (1) Inserting language to prioritize the award of Rental Housing Revolving Fund funds to projects on state- or county-owned lands or lands with a perpetual affordability commitment;
- (2) Clarifying the lapse date of funds as June 30, 2026; 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. 1833, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1833, 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 (Kanuha).

SCRep. 3097 (Majority) Housing on H.B. No. 2292

The purpose and intent of this measure is to appropriate funds for the establishment and hiring of an unspecified number of project management III positions for the Hawaii Housing Finance and Development Corporation.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and Office of Planning and Sustainable Development.

Your Committee finds that the State is currently suffering from a housing shortage. Your Committee also finds that there are immediate and novel opportunities to develop affordable housing throughout the State. Therefore, the purpose of this measure is to create additional project manager positions within the Hawaii Housing Finance and Development Corporation to manage and aid in the development of these opportunities.

Your Committee has heard the concerns raised by the Hawaii Housing Finance and Development Corporation regarding the costs to administer this measure. Your Committee requests that should future committees deliberate on this measure that they consider the Hawaii Housing Finance and Development Corporation's request of an appropriation amount of \$237,992, representing an annual salary of \$145,117 plus fringe.

Your Committee has amended this measure by clarifying the position title as a "Project Manager III".

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. 2292, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2292, 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, 1 (Awa). Excused, 1 (Kanuha).

SCRep. 3098 Public Safety and Intergovernmental and Military Affairs on H.B. No. 1886

The purpose and intent of this measure is to authorize moneys in the Reduced Ignition Propensity Cigarette Program Special Fund to be used to defray the costs of statewide fire prevention, education, life safety, and preparedness programs, including the hiring of administrative personnel.

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 Department of the Attorney General.

Your Committee finds that the primary mission of the State Fire Council is to develop and support a comprehensive fire service emergency management network for the protection of life, property, and the environment for the State. Your Committee notes that despite the scope of its responsibilities, the State Fire Council has been historically underfunded and until 2001, the Council had no funding for staff to fulfill its responsibilities. While the establishment of the Reduced Ignition Propensity Cigarette Program Special Fund has helped the Council defray the activities of the Reduced Ignition Propensity Cigarette Program, the State Fire Council is currently prohibited from utilizing the Special Fund for activities outside the scope of the Program. Your Committee concludes that the Reduced Ignition Propensity Cigarette Program Special Fund should be utilized by the State Fire Council to carry out other statewide fire prevention programs.

Your Committee has amended this measure by:

- (1) Amending the functions of the State Fire Council to include implementing statewide fire prevention, education, life safety, and preparedness programs;
- (2) Inserting language to clarify that the administrative personnel that may be hired using funds from the Reduced Ignition Propensity Cigarette Program Special Fund are exempt from chapter 76 and 89, Hawaii Revised Statutes; 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. 1886, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1886, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3099 Public Safety and Intergovernmental and Military Affairs on H.B. No. 2107

The purpose and intent of this measure is to appropriate funds to establish Limited English Proficiency Language Access Coordinator positions within the Hawaii Emergency Management Agency.

Your Committee received testimony in support of this measure from the Hawai'i Emergency Management Agency, Office of Language Access, Hawaii State Coalition Against Domestic Violence, Hawai'i Friends of Civil Rights, Pacific Gateway Center, Hawai'i Coalition for Immigrant Rights, FilCom CARES, Legal Clinic, Lāhainā Strong, Kaibigan ng Lāhaina, Hawai'i Alliance for Progressive Action, and nine individuals.

Your Committee received comments on this measure from the Department of Human Services and Disability and Communication Access Board.

Your Committee finds that one out of nine people living in Hawaii is limited English proficient. These individuals often encounter disproportionate risks before, during, and after disasters. These risks include an inability to understand evacuation orders and procedures and information from emergency relief providers. This measure will allow for Limited English Proficiency Language Access Coordinators to be deployed in communities by the Hawaii Emergency Management Agency in the event of an emergency.

Your Committee notes that the Limited English Proficiency Language Access positions should be made permanent and respectfully requests further examination by subsequent Committees to which this measure is referred.

Your Committee has amended this measure by inserting an effective date of July 1, 2042, 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 H.B. No. 2107, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2107, 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. 3100 Public Safety and Intergovernmental and Military Affairs on H.B. No. 2458

The purpose and intent of this measure is to clarify that the Director of Law Enforcement has authority to issue subpoenas as part of the investigative powers of the Department of Law Enforcement.

Your Committee received testimony in support of this measure from the Department of Law Enforcement.

Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that Act 278, Session Laws of Hawaii 2022, established a new Department of Law Enforcement to consolidate and administer state criminal law enforcement and investigations of various state departments. Your Committee further finds that while the Director of Law Enforcement currently has subpoena powers for purposes of investigations under the Uniform Controlled Substances Act, it is necessary to clarify that the Director's subpoena powers extend to other investigations conducted by the Department of Law Enforcement. This measure will allow the Director and the Department of Law Enforcement to competently conduct investigations.

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 H.B. No. 2458, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2458, 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. 3101 Public Safety and Intergovernmental and Military Affairs on H.B. No. 2582

The purpose and intent of this measure is to require critical infrastructure information required by federal or state law to be collected or maintained by a county board of water supply in connection with a federal or state critical infrastructure security and resilience program to be confidential and not available to the public.

Your Committee received testimony in support of this measure from the Department of Law Enforcement, Office of Information Practices and Board of Water Supply of the City and County of Honolulu.

Your Committee received testimony in opposition to this measure from the Public First Law Center.

Your Committee received comments on this measure from the Hawaii State Energy Office and Hawaiian Electric.

Your Committee finds that in order to succeed in the legislated responsibilities of the State and requirements of federal law regarding protection of critical infrastructure, it is necessary to protect the sixteen federally designated critical infrastructure sectors, including but not limited to energy, emergency services, water, and health care. Additionally, any threat to these sectors could have potentially debilitating consequences to national security, the economy, and public health and safety. Your Committee further finds that it is imperative to establish protections for critical infrastructure information that is created, received, or maintained by government agencies to ensure public health and safety.

Your Committee notes that the version of this measure as introduced, exempted disclosure of critical infrastructure information held by any government agency whereas the H.D. 1 version only applies to such information held by a county board of water supply. The language of H.B. No. 2582 is therefore preferable because it seeks to provide protection for each federally designated critical infrastructure sector.

Accordingly, your Committee has amended this measure by deleting its contents and inserting the contents of H.B. No. 2582, which excludes critical infrastructure information from disclosure requirements under the Uniform Information Practices Act.

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. 2582, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2582, 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. 3102 Public Safety and Intergovernmental and Military Affairs on H.B. No. 2581

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; Public First Law Center; Hawai'i Association of Broadcasters, Inc.; Pacific Media Group; iHeartMedia Honolulu; All Hawaii News; Big Island Press Club; Grassroot Institute of Hawaii; Albatross News; Winning Edge Women's Leadership; Hawai'i Cannabis THC Ministry; and nine individuals.

Your Committee received comments on this measure from the Hawai'i Emergency Management Agency.

Your Committee finds that the power of the Governor or a mayor 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 could potentially include text messages, emails, and posts to social media platforms, which would restrain lawful free speech and publication. This measure will allow electronic media platforms to be utilized in times of emergencies in order to not restrict the utilization of these forms of media to disseminate valuable and critical information related to emergencies.

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. 2581, 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. 3103 Judiciary on H.B. No. 1595

The purpose and intent of this measure is to:

- (1) Create a state-initiated process to expunge records of arrests and convictions for the offense of promoting a detrimental drug in the third degree at no cost to the record holder; and
- (2) Require the Hawaii Criminal Justice Data Center to submit biannual reports to the Legislature until all eligible records are expunged.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Hawai'i Civil Rights Commission, Last Prisoner Project, Marijuana Policy Project, Community Alliance on Prisons, ACLU of Hawai'i, Chamber of Sustainable Commerce, Democratic Party of Hawai'i, National Organization for the Reform of Marijuana Laws, Japanese American Citizens League, Aloha Green Apothecary, Hawaiian Ethos, Techmana LLC, Drug Policy Forum of Hawai'i, and fifty-seven individuals.

Your Committee received testimony in opposition to this measure from the Hawaii High Intensity Drug Trafficking Area, Department of the Attorney General, Department of Corrections and Rehabilitation, Department of the Prosecuting Attorney of the County of Maui, Department of the Prosecuting Attorney of the City and County of Honolulu, and one individual.

Your Committee received comments on this measure from the Judiciary.

Your Committee finds that having an arrest record is a difficult barrier to overcome due to bias and stigma. Criminal records also block access to jobs, housing, education, public participation, insurance, or full participation in social and civil community life. Additionally, studies have shown that there is a disparate impact of the criminal justice system on minority and marginalized groups, further creating inequalities. However, your Committee finds that establishing a state-wide expungement process is premature and believes that a pilot project limited to certain offenses is a better approach at this time.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have created a statewide state-initiated process to expunge records of arrests and convictions for the offense of promoting a detrimental drug in the third degree at no cost to the record holder;
- (2) Inserting language requiring the Department of the Attorney General to establish and administer a pilot project for state-initiated expungement of certain arrest records for marijuana offenses under section 712-1249, Hawaii Revised Statutes, in a county having a population greater than two hundred thousand and less than five hundred thousand persons;
- (3) Inserting language requiring the Hawaii Criminal Justice Data Center to submit reports to the Legislature;
- (4) Amending section 1 to reflect its amended purpose;
- (5) Making it effective upon its approval; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee requests consideration be given to expanding the pilot project to include arrests and convictions for possession and delivery of drug paraphernalia by adults, which was decriminalized by Act 72, Session Laws of Hawaii 2017.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1595, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1595, 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. 3104 Hawaiian Affairs on H.B. No. 2772

The purpose and intent of this measure is to require the use of modern Hawaiian orthography, including the kahako and okina, on the state seal; provided that valid representations of the seal created before this Act shall remain valid.

Your Committee received testimony in opposition to this measure from Ka Leo o na Kupa, Kaunalewa, and three individuals.

Your Committee received comments on this measure from two individuals.

Your Committee finds that as a symbol of the State, the state seal should use modern Hawaiian orthography to reflect that the Hawaiian language, or Olelo Hawaii, is an official state language. In doing so, the State would contribute to the revival of the Hawaiian language and raise awareness of the proper spelling and pronunciation of Hawaiian words. However, your Committee also

finds that modern Hawaiian orthography is a relatively recent invention used to aid those learning the Hawaiian language. Furthermore, not all communities of native speakers use modern Hawaiian orthography, and the pronunciation and usage of certain Hawaiian words may vary from region to region. In recognition of this, your Committee finds that rather than changing the state seal, it is preferable for this measure to require that an explanation of how to pronounce the state motto as depicted on the state seal be provided on the official State of Hawaii website.

Therefore, your Committee has amended this measure by:

- (1) Deleting language that would have required the use of modern Hawaiian orthography, including the kahako and okina in the spelling of Hawaii and the state motto;
- (2) Inserting language requiring a translation of the state motto on the official state website;
- (3) Inserting language requiring an explanation of how to pronounce the state motto as displayed on the state seal on the official state website using modern Hawaiian orthography; 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 H.B. No. 2772, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2772, 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. 3105 Hawaiian Affairs on H.B. No. 1529

The purpose and intent of this measure is to allow an Island Burial Council member whose term has expired to continue in office as a holdover member until the member's reappointment to a second term is confirmed or a successor is nominated and appointed.

Your Committee received testimony in support of this measure from one individual.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that delays in nominating and appointing, or reappointing, members to Island Burial Councils may affect the ability of councils to function effectively. If a member's term expires and the member's reappointment is delayed or a successor is not timely appointed, the Island Burial Council may lack sufficient quorum necessary to conduct business. Your Committee further finds that Island Burial Councils do not always allow council members or the public to participate in meetings virtually or by phone, further delaying meetings. Therefore, your Committee finds that this measure should ensure that Island Burial Councils will continue to run smoothly by permitting any Island Burial Council member whose term has expired to continue in office as a holdover member and additionally allowing Island Burial Council meetings be conducted pursuant to section 92-3.7, Hawaii Revised Statutes, to accommodate remote participation from council members and the public.

Your Committee notes that Island Burial Council meetings are often postponed because they lack sufficient quorum. Your Committee also notes that meetings may also be delayed by the opinion of the Chairperson of the Burial Council on remote participation in meetings or proceedings. These delays impede land development, hampering the State's ability to provide affordable housing for residents amid a housing crisis. Therefore, your Committee recommends that a Burial Council Chairperson's preferences regarding remote participation in meetings shall not be binding and only advisory.

Your Committee has amended this measure by:

- (1) Inserting language allowing Island Burial Council meetings be conducted pursuant to section 92-3.7, Hawaii Revised Statutes, to allow council members and the public to participate in meetings remotely;
- (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 Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1529, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1529, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Ihara). Noes, none. Excused, none.

SCRep. 3106 Hawaiian Affairs on H.B. No. 2420

The purpose and intent of this measure is to:

- (1) Give practical effect to the Legislature's intent for the appropriation in Act 279, Session Laws of Hawaii 2022 (Act 279), by depositing certain unexpended or unencumbered funds appropriated through Act 279 that are set to lapse on June 30, 2024, into an Act 279 Special Fund and appropriating funds out of the Act 279 Special Fund; and
- (2) Provide that moneys from the appropriation out of the Act 279 Special Fund that are unencumbered as of June 30, 2026, shall lapse as of that date.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and two individuals.

Your Committee received comments on this measure from the Department of Budget and Finance and Tax Foundation of Hawaii.

Your Committee finds that Act 279 appropriated \$600,000,000 to the Department of Hawaiian Home Lands to reduce the number of applicants on its waitlist. Your Committee further finds that Act 279 stipulated that any moneys not encumbered for specific purposes shall lapse to the general fund on June 30, 2025. However, article VII, section 11, of the Hawaii State Constitution provides that no general fund appropriation shall be for a period exceeding three years. This measure ensures that the Department of Hawaiian Home Lands will have another year of funds to benefit Department of Hawaii Home Lands' beneficiaries.

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 Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2420, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2420, 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. 3107 (Majority) Judiciary on H.B. No. 1913

The purpose and intent of this measure is to increase the rate of compensation and maximum allowable amounts per case for court-appointed counsel and guardians ad litem in family court proceedings.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, Office of the Public Defender, Hawaii State Bar Association, ACLU of Hawai'i, and one individual.

Your Committee finds that guardians ad litem and court-appointed attorneys play critical roles in family court cases. However, the pool of individuals who are willing and able to serve as guardians ad litem and court-appointed attorneys is small. Your Committee further finds that although the Judiciary has taken steps to recruit more guardians ad litem and court-appointed attorneys, the need is still significant, and unless the number of individuals who are willing and able to serve as guardians ad litem and court-appointed attorneys increases, cases will be delayed. This measure will increase the pool of qualified individuals willing and able to serve as guardians ad litem and court-appointed attorneys by increasing the rates at which the Judiciary may compensate guardians ad litem and court-appointed attorneys.

Your Committee has amended this measure by:

- (1) Inserting an appropriation amount of \$1,500,000 for the purchase of service contracts, guardian ad litem contracts, and court-appointed counsel contracts pursuant to chapter 571, Hawaii Revised Statutes; and
- (2) Making it effective on 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. 1913, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1913, 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. 3108 (Majority) Judiciary on H.B. No. 1914

The purpose and intent of this measure is to increase the rate of compensation and maximum allowable amounts per case for court-appointed counsel in criminal proceedings.

Your Committee received testimony in support of this measure from the Judiciary, Office of the Public Defender, Hawaii Paroling Authority, Hawaii State Bar Association, ACLU of Hawai'i, and three individuals.

Your Committee finds that over the last decade there has been a dramatic decrease in qualified applicants to the court-appointed lists of each circuit, which has in turn caused a shortage of available qualified and competent counsel to take indigent defendant criminal cases statewide. A major factor driving this reduction is the low hourly rate of pay offered for these cases. Your Committee believes that in order to attract skilled and experienced individuals to serve as appointed counsel for indigent defendants, the State must ensure that appointed counsel are adequately compensated for their work. This measure will aid in recruiting and retaining counsel who are qualified, experienced, and willing to be appointed in criminal proceedings.

Your Committee has amended this measure by:

- (1) Inserting an appropriation amount of \$2,500,000 for the increased rate of compensation and maximum allowable amounts per case for court-appointed counsel in criminal proceedings; and
- (2) Making it effective on 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. 1914, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1914, 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. 3109 (Majority) Judiciary on H.B. No. 2485

The purpose and intent of this measure is to:

- (1) Repeal an obsolete fee for a certified copy of a tax clearance;
- (2) Add a penalty for failure to comply with reporting requirements under general excise tax law and transient accommodations tax law for collection of rent by a third party; and
- (3) Raise the unfair competition penalty under general excise tax law to adjust for inflation.

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 and Travel Technology Association.

Your Committee finds that under existing law, every person authorized to collect rent on behalf of an owner of real property in the State is required to provide the Department of Taxation with certain information. However, there is no penalty for failing to comply with this requirement. This measure will provide the Department of Taxation with an enforcement mechanism to help the Department promote tax compliance and uphold the State's tax laws.

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. 2485, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2485, 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 (San Buenaventura). Noes, 1 (Awa). Excused, none.

SCRep. 3110 Judiciary on H.B. No. 1912

The purpose and intent of this measure is to establish one additional district court judgeship in the First Circuit.

Your Committee received testimony in support of this measure from the Judiciary, Office of the Public Defender, and Hawaii State Bar Association.

Your Committee finds that it has been more than forty years since the last district court judge was authorized in 1982. Since then, there has been a significant increase in the population of the City and County of Honolulu, with the Department of Business, Economic Development, and Tourism estimating that the population increased more than thirty-one percent in that time. Additionally, many of the cases that come before the court have become more complex, involving interdisciplinary issues such as the prevalence of those who experience mental illness or substance use disorders and individuals experiencing homelessness with long case histories of non-violent offenses. This measure 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.

Your Committee has amended this measure by making it effective on 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. 1912, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1912, 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. 3111 (Majority) Judiciary on H.B. No. 2509

The purpose and intent of this measure is to propose a constitutional amendment to increase the mandatory retirement age for state justices and judges from seventy years to seventy-five years.

Your Committee received testimony in support of this measure from the Judiciary, Office of the Public Defender, Hawaii Paroling Authority, Stonewall Caucus of the Democratic Party of Hawai'i, Community Alliance on Prisons, and five individuals.

Your Committee finds that in recent years a number of judges and justices have been forced to retire at age seventy, despite being competent, contributing members of the Judiciary. Additionally, many retired judges and justices continue to be active in the legal community. Your Committee believes that older judges and justices bring invaluable experience and knowledge to the bench. This measure will ensure retention of experienced and qualified judges and maintain stability within the State's courts.

Your Committee has amended this measure by making it effective upon compliance with article XVII, section 3, of the Hawaii State Constitution.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2509, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2509, 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. 3112 Judiciary on H.B. No. 1881

The purpose and intent of this measure is to update the maximum administrative fines allowed for violations of chapters relating to standards of conduct and lobbyists.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission.

Your Committee finds that in recent years, instances of ethical violations underscore the need for a more robust deterrent to dissuade individuals from engaging in activities that compromise public trust. Your Committee believes that the current maximum fine of \$1,000 under existing law may not always be commensurate with the severity of some ethical violations, and a higher penalty can reflect the gravity of a particular transgression. Your Committee further finds that most other jurisdictions have a maximum fine for ethics violations between \$5,000 and \$10,000. This measure will allow the State to maintain the highest standards of ethical behavior among public officials and employees and proactively discourage unethical behavior.

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. 1881, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1881, 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. 3113 (Joint) Public Safety and Intergovernmental and Military Affairs and Health and Human Services on H.B. No. 2230

The purpose and intent of this measure is to require the Law Enforcement Standards Board to develop, and each department employing law enforcement officers to implement, a structured health intervention program to support law enforcement officers' physical and mental health.

Your Committees received testimony in support of this measure from the Office of Wellness and Resilience, State of Hawaii Organization of Police Officers, and Hawai'i Psychological Association.

Your Committees received comments on this measure from the Department of Law Enforcement.

Your Committees find that law enforcement professions, including policing, may regularly expose officers to violence, suffering, death, and disturbing situations, causing high levels of job-related stress and physical and mental health problems. Your Committees further find that occupational health studies have recommended ways to mitigate job-related stress among law enforcement officers, including but not limited to the implementation of structured health intervention programs. This measure will increase public safety by supporting law enforcement officers' health.

Your Committees have amended this measure by:

- (1) Replacing the term "trauma-informed therapy" with "trauma-informed mental health support"; and
- (2) Inserting an effective date of July 1, 2042, 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 Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2230, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2230, 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.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Aquino).

SCRep. 3114 Housing on H.B. No. 2787

The purpose and intent of this measure is to:

- (1) Increase the maximum amount of deductible contributions for individual housing accounts; and
- (2) Require and appropriate funds for the Department of Taxation to create and implement a public awareness campaign about individual housing accounts.

Your Committee received testimony in support of this measure from the Maui Chamber of Commerce, Grassroot Institute of Hawaii, and two individuals.

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

Your Committee finds that the current median home value in the State is estimated to be between \$820,000 and \$977,000. The existing maximum allowed contribution under the State's Individual Housing Account Program is \$25,000 per year, which has not been increased since the program was established in 1982. At these current rates, a minimum of eight years of savings would be required just for a down payment. Your Committee further finds that saving for a down payment for the purchase of a home continues to be a barrier for many Hawaii residents, with few programs available to assist in this endeavor. Therefore, this measure will incentivize home ownership for first time buyers by increasing the maximum contributions to individual housing accounts as an allowable tax deduction to enable buyers to save for a down payment and closing costs.

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. 2787, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2787, 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 (Kanuha).

SCRep. 3115 (Joint) Health and Human Services and Public Safety and Intergovernmental and Military Affairs on H.B. No. 2253

The purpose and intent of this measure is to:

- (1) Authorize the Department of Health to require all restaurants and hotel establishments to maintain an inventory of an opioid antagonist;
- (2) Permit law enforcement officers to carry an opioid antagonist while on-duty;
- (3) Require funds for the purchase of opioid antagonists used by law enforcement officers employed by a county to be paid for using county funds; and
- (4) Clarify that emergency personnel and first responders may administer an opioid antagonist to an individual experiencing an opioid-related drug overdose.

Your Committees received testimony in support of this measure from the Honolulu Police Department and Hawai'i Health & Harm Reduction Center.

Your Committees received comments on this measure from the Alcohol and Drug Abuse Division of the Department of Health.

Your Committees find that opioid antagonists are highly effective in countering the effects of opioids, saving the lives of many from an opioid overdose. Your Committees further find that quick administration of a opioid antagonist is imperative to preventing an opioid overdose. This measure allows the Department of Health to implement necessary precautionary measures to prevent opioid overdoses by requiring restaurants and hotel establishments to maintain an inventory of an opioid antagonist.

Your Committees note that opioid antagonists can only be purchased by law enforcement officers, yet this measure allows for restaurants and hospitals to maintain an inventory of antagonists. Your Committees find that this apparent discrepancy raises concerns that merit further consideration and respectfully request further examination by subsequent committees to which this measure is referred.

Your Committees have amended this measure by:

- (1) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on 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. 2253, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2253, H.D. 2, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chairs on behalf of the Committees.
Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Aquino).
Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 3116 (Joint) Health and Human Services and Public Safety and Intergovernmental and Military Affairs on H.B. No. 2227

The purpose and intent of this measure is to:

- (1) Expand the existing exemption from state law governing child care for the United States Department of Defense-certified child care providers on federal property to those operating off federal property; and
- (2) Require the United States Department of Defense-certified child care facilities with clients who are not children of enlisted families or who receive a child care subsidy from the Department of Human Services to have a memorandum of agreement with the Department of Human Services.

Your Committees received testimony in support of this measure from the United States Department of Defense, Hawaii Military Affairs Council, and Chamber of Commerce Hawaii.

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

Your Committees find that under existing Department of Human Services administrative rules, the process of issuing a registration for family child care could take up to one hundred eighty days from the date of submission of the application for registration, and that this delay occurs at a time when both civilian and military families frequently encounter waitlists and capacity issues for family child care. Your Committees further find that existing state law exempts child care providers certified by the United States Department of Defense from State law governing licensure and registration that is duplicative of the certification they receive from the military services; provided that the facility is on federal property. By expanding this exemption to United States Department of Defense certified child care providers that are operating off federal property, this measure will increase availability of qualified child care options and enhance the quality of life and economic security for both providers and the State's residents.

Your Committees have amended this measure by:

- (1) Deleting language that would have required any United States Department of Defense certified child care facility with clients who are not children of enlisted families or who receive a child care subsidy from the Department of Human Services to have a memorandum of agreement with the Department of Human Services regarding operation of the child care facility;
- (2) Making it effective upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on 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. 2227, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2227, 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 (Aquino).

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 3117 Judiciary on H.B. No. 1953

The purpose and intent of this measure is to:

- (1) Require the Judicial Council to conduct a comprehensive review of the Hawaii Penal Code and to recommend proposed changes;
- (2) Require the Judicial Council to appoint an advisory committee to assist in the review; and
- (3) Require the advisory committee to report to the Legislature.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation, Hawaii Paroling Authority, Office of the Public Defender, Community Alliance on Prisons, ACLU of Hawai'i, and four individuals.

Your Committee received comments on this measure from the Judiciary.

Your Committee finds that the Hawaii Penal Code is the fundamental document by which the State addresses crime. Your Committee believes that it is imperative that such an important part of state law receives full and deliberate attention from time to time to ensure the Hawaii Penal Code's continued force and effectiveness. Since 1972, reviews of the Hawaii Penal Code have occurred approximately every ten years, with the most recent review taking place in 2015. This measure will ensure that the Hawaii Penal Code remains current, effective, fair, and balanced.

Your Committee has amended this measure by:

- (1) Inserting language allowing the Judicial Council to add additional members to the advisory committee as the Council deems necessary;
- (2) Inserting an appropriation amount of \$25,000; and
- (3) Making it effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1953, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1953, 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. 3118 Education on H.B. No. 2683

The purpose and intent of this measure is to repeal the sunset date for the exemption of laboratory school programs of the College of Hawaiian Language at the University of Hawaii at Hilo from state English-medium standards, assessments, performance ratings, staff qualifications, and staff training requirements.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Executive Office on Early Learning, Office of Hawaiian Affairs, Hui for Excellence in Education, 'Aha Pūnana Leo, Ke Kula 'O Nāwahīokalani'ōpu'u, Laboratory Public Charter School, Hawai'i Children's Action Network Speaks!, Kupuna for the Mo'opuna, and forty-one individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that growing demand and support for Hawaiian language medium education has allowed for the development of pedagogical and professional development tools for educators. Presently, the College of Hawaiian Language at the University of Hawaii at Hilo works in partnership with Aha Pūnana Leo to develop performance standards and tools for both students and educators in Hawaiian language medium classrooms. However, recruitment qualifications, performance evaluations, and pedagogical methods utilized in English-medium education may not adequately support the needs of Hawaiian language medium education. Therefore, this measure retains requirements for performance standards and assessments that align with the unique pedagogical needs of Hawaiian language medium schools.

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

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2683, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2683, 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. 3119 Education on H.B. No. 2620

The purpose and intent of this measure is to:

- (1) Exempt Department of Education purchases of local edible produce and packaged food products less than a certain amount from the electronic procurement system requirement; and
- (2) Require at least three written quotes for Department of Education purchases of local edible produce and packaged food products between certain amounts.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i Public Health Institute, Hawai'i Farm Bureau, Ulupono Initiative, Ka Ohana O Na Pua, and three individuals.

Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that the Department of Education has a mandate to provide at least thirty percent locally sourced foods to the State's public schools by 2030. However, despite this significant mandate, the Department of Education's small purchase procurement capacity is limited to \$25,000 per twelve-month period, which may hinder the Department's ability to procure adequate amounts of locally sourced foods. Therefore, this measure adjusts the small purchase procurement capacity for local edible produce to provide Hawaii's keiki with healthy, nutritious, and locally sourced meals.

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

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2620, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2620, 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. 3120 Education on H.B. No. 2074

The purpose and intent of this measure is to appropriate funds to the Department of Education for the establishment of Kaiapuni education curriculum specialist II positions and Kaiapuni classroom teacher positions.

Your Committee received testimony in support of this measure from the Department of Education, Office of Hawaiian Affairs, Hawai'i Teacher Standards Board, Hawaii State Teachers Association, 'Aha Kauleo, Hawai'i Alliance for Progressive Action, Nā Leo Kāko'o o O'ahu, Tahiri Association, The Spoehr Foundation, a Hui Mākua petition signed by one hundred twenty-eight individuals, a Hui Mākua Palapola Nui petition signed by eighty-seven individuals, and seventy individuals.

Your Committee finds that there has been significant growth and increased demand for Hawaiian language medium education in the State. Presently, the State operates twenty-two Kaiapuni schools, for students in grades kindergarten through twelve. However, resources dedicated to supporting Kaiapuni education programming have consistently declined since 2008, which has created staffing and pedagogical challenges. Accordingly, this measure appropriates funds for staffing needs at Kaiapuni schools to provide Hawaii's keiki with additional opportunities for Hawaiian language medium education.

Your Committee has amended this measure by:

- (1) Inserting three full-time equivalent (3.0 FTE) curriculum specialist II positions; and
- (2) Inserting ten full-time equivalent (10.0 FTE) classroom teacher positions.

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. 2074, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2074, 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. 3121 Education on H.B. No. 1903

The purpose and intent of this measure is to expand access of early learning programs to other state properties and public lands besides public school campuses.

Your Committee received testimony in support of this measure from the Office of the Lieutenant Governor, Department of Human Services, Office of Hawaiian Affairs, Executive Office on Early Learning, Early Learning Board, Special Education Advisory Council, Hui for Excellence in Education, Hawai'i Children's Action Network Speaks!, Kamehameha Schools, Early Childhood Action Strategy, and Chamber of Commerce Hawaii.

Your Committee finds that greater accessibility to early childhood education is a priority for the State. Presently, the Executive Office on Early Learning is authorized to operate early learning programs on public school campuses. However, other public properties may provide ideal spaces for early learning programs, expanding available inventory while offering more students with

opportunities to enroll. This measure enhances the availability of early learning programs to provide the State's youngest keiki with educational 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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1903, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1903, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3122 Housing on H.B. No. 2790

The purpose and intent of this measure is to authorize the issuance of general obligation bonds to reinstate the Hula Mae Single Family Loans Program through the Dwelling Unit Revolving Fund.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Hawai'i Association of REALTORS, Aloha United Way, and two individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that Hawaii is currently undergoing a housing shortage, with homeownership being a goal that many residents struggle with accomplishing. Your Committee also finds that high costs of living, rising interest rates, and unexpected expenses that delay savings, among other factors, make saving up for a down payment challenging. Therefore, this measure aims to alleviate this burden by re-establishing the housing loan and mortgage program to offer eligible first-time homebuyers with thirty year mortgage loans at competitive interest rates. However, your Committee finds that providing single-family mortgage loans is not an authorized use of the Dwelling Unit Revolving Fund. Therefore, amendments to this measure are necessary to address this issue.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the authorization of the issuance of general obligation bonds and the appropriation into and out of the Dwelling Unit Revolving Fund, to reinstate the Hula Mae Single Family Loans Program;
- (2) Changing the deadline for the Hawaii Housing Finance and Development Corporation from 60 days before the Regular Session of 2025 to 60 days before the Regular Session of 2026; 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. 2790, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2790, 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 (Kanuha).

SCRep. 3123 (Majority) Public Safety and Intergovernmental and Military Affairs on H.B. No. 2523

The purpose and intent of this measure is to:

- (1) Beginning January 1, 2027, establish licensing requirements, including minimum standards and qualifications, for licensure as a journey worker electric utility lineman and expands the Board of Electricians and Plumbers to include members engaged in electric utility work; and
- (2) Repeal an existing exception to the impending sunset of the limited exemption from electrician licensing requirements that was originally enacted by Act 65, Session Laws of Hawaii 2013, and extended pursuant to Act 60, Session Laws of Hawaii 2018, and Act 68, Session Laws of Hawaii 2022.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Hawaii State Energy Office; International Brotherhood of Electrical Workers Local Union No. 1260; Plumbers and Fitters United Association, Local 675; and Hawaiian Electric.

Your Committee received testimony in opposition to this measure from the International Brotherhood of Electrical Workers Local Union No. 1186.

Your Committee received comments on this measure from the Public Utilities Commission, Board of Electricians and Plumbers, and Kaua'i Island Utility Cooperative.

Your Committee finds that it is critical to protect the health and safety of the public and utility workers and improve and maintain Hawaii's electrical infrastructure. Your Committee further finds that these goals can be achieved through the development of a local workforce of properly qualified, trained, and licensed electric utility linemen. This measure will address the need for experienced and qualified linemen in the State who can perform certain complex maintenance and repair work affecting an electric utility.

Your Committee has amended this measure by:

- (1) Making it effective on July 1, 2027; and
- (2) Making 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. 2523, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2523, 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, 3; Ayes with Reservations (Rhoads). Noes, 1 (Elefante). Excused, 1 (Awa).

SCRep. 3124 (Joint) Public Safety and Intergovernmental and Military Affairs and Transportation and Culture and the Arts on H.B. No. 2748

The purpose and intent of this measure is to establish statewide vehicular law enforcement pursuit policies.

Your Committees received testimony in support of this measure from the Policing Project, and one individual.

Your Committees received testimony in opposition to this measure from the Department of Law Enforcement, Honolulu Police Department, State of Hawaii Organization of Police Officers, and one individual.

Your Committees find that an increasing number of states are setting forth clear rules in advance for agencies and officers to ensure officers are only engaging in vehicle law enforcement pursuits when necessary and when the public safety benefits of such pursuits outweigh the risks. Your Committees believe that one of the best ways to ensure transparent, effective, and ethical policing is for the public to be democratically involved in setting expectations for police practices. This measure will advance public safety and avoid preventable fatalities and injuries by providing critical regulations for police vehicle pursuits.

Your Committees have amended this measure by:

- (1) Changing the agency responsible for data collection and policy dissemination from the Department of Law Enforcement to the Department of the Attorney General;
- (2) Removing language that would have required the Department of Law Enforcement to adopt administrative rules pursuant to chapter 91, Hawaii Revised Statutes; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on 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 H.B. No. 2748, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2748, H.D. 2, 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, 4; Ayes with Reservations (Fukunaga). Noes, none. Excused, 1 (Awa).

Transportation and Culture and the Arts: Ayes, 3; Ayes with Reservations (Inouye). Noes, none. Excused, 2 (Kanuha, Awa).

SCRep. 3125 (Joint) Public Safety and Intergovernmental and Military Affairs and Health and Human Services on H.B. No. 2183

The purpose and intent of this measure is to establish safe harbor protections for survivors of sexual exploitation who seek medical or law enforcement assistance.

Your Committees received testimony in support of this measure from the Honolulu Police Department, Imua Alliance, Rainbow Family 808, and three individuals.

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 sex trafficking is a profoundly prevalent crime in the State. According to testimony received by your Committees, the coronavirus disease 2019 pandemic saw demand for sex exploitation victim services skyrocket. Your Committees further find that over thirty states have existing safe harbor protections for sex trafficking victims. This measure will support survivors of sexual exploitation in finding health care by providing legal protections when obtaining health care services. Your Committees note the concerns that the H.D. 1 version of this measure may provide safe harbor to “johns”, which is contrary to the intent of this measure. Therefore, amendments are necessary to address this concern.

Accordingly, your Committees have amended this measure by:

- (1) Adding language to explicitly bar the safe harbor provisions from being utilized by individuals seeking medical care who provide, agree to provide, or offer to provide a fee or anything of value to another person to engage in sexual conduct; 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 Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2183, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2183, H.D. 1, 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.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Aquino).

SCRep. 3126 Agriculture and Environment on H.B. No. 1896

The purpose and intent of this measure is to, beginning January 1, 2027, 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 intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS), with certain exceptions.

Your Committee received testimony in support of this measure from the Department of Health, Honolulu Board of Water Supply, Sierra Club of Hawai'i, Hawai'i Reef and Ocean Coalition, Climate Protectors Hawai'i, Hawaii Environmental Change Agents Water Reduction Task Force, Hawaii Food+ Policy, Beautycounter, and six individuals.

Your Committee received testimony in opposition of this measure from the Retail Merchants of Hawaii.

Your Committee finds that PFAS remain in the environment for long periods of time and that exposure to PFAS has been linked to adverse health outcomes. Recognizing the harm in PFAS, the State prohibited, beginning December 31, 2024, the manufacture, sale, or distribution for sale or use of certain types of food packaging and fire-fighting foam that contain PFAS through Act 152, Session Laws of Hawaii 2022. This measure expands the State's ban on PFAS to protect the environment and human health from their detrimental and toxic effects.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2027; and
- (2) Making 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. 1896, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1896, 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. 3127 Agriculture and Environment on H.B. No. 2236

The purpose and intent of this measure is to:

- (1) Reclassify and abolish certain non-general funds of the Department of Agriculture, pursuant to the recommendations made by the Auditor in Auditor's Report No. 23-13; and
- (2) Transfer any unencumbered balance of any fund repealed or abolished by this measure to another fund.

Your Committee received comments on this measure from the Department of Agriculture and 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 Department of Agriculture, Report No. 23-13 (Dec. 2023), recommended that certain non-general funds of the Department of Agriculture be abolished or reclassified because the fund no longer serves its original purpose, does not serve a need, or does not meet the definition of a revolving fund, special fund, or trust fund. Your Committee further finds that abolishing or reclassifying these funds would achieve greater fiscal accountability in the Department of Agriculture.

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 Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2236, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2236, 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. 3128 Agriculture and Environment on H.B. No. 2144

The purpose and intent of this measure is to establish the Access to Local Value-Added Products Act to allow homemade food operations to sell homemade food products, under certain conditions.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 1, which deletes the contents of the measure and inserts language to require the Department of Health to:

- (1) Amend the definition of "homemade food products" in chapter 11-50, Hawaii Administrative Rules, regarding the Food Safety Code; and
- (2) Adopt certain rules regarding the sale and delivery of homemade food product.

Your Committee received testimony in support of the proposed S.D. 1 from the Department of Health; Hawai'i Farm Bureau; Hawaii Master Food Preservers, Inc.; Makani Mills LLC; Institute for Justice; Hawaiian Goodness LLC; Maui Chamber of Commerce; and eight individuals.

Your Committee received comments on the proposed S.D. 1 from the Department of Agriculture, Agribusiness Development Corporation, and Grassroot Institute of Hawaii.

Your Committee finds that expanding the definition of food products to include certain local value-added products, such as chutney, salsa, sauerkraut, barbecue sauces, catsup, relish, hot sauce, pickled mangos, kimchi, chili sauce, tomato sauce, and tomato paste, can create local employment opportunities and help support and grow small businesses by offering locally-made alternatives to imported brands. This measure not only fosters local entrepreneurship and innovation, but also increases food security in the State.

Your Committee has amended this measure by adopting the proposed S.D. 1 and further amending the measure by:

- (1) Amending the definition of “homemade food products”;
- (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 Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2144, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2144, 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, none. Excused, 1 (Richards).

SCRep. 3129 Labor and Technology on H.B. No. 1784

The purpose and intent of this measure is to temporarily reinstate the Technology Infrastructure Renovation Tax Credit for taxable years beginning after December 31, 2023, and sunseting for taxable years beginning after December 31, 2026, and expand the definition of “technology-enabled infrastructure” to include data servers.

Your Committee received testimony in support of this measure from Servpac and Hawaiian Electric.

Your Committee received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, Charter Communications, Chamber of Commerce Hawaii, and Hawaiian Telcom.

Your Committee finds that upgrading and modernizing equipment necessary for data storage will improve resilience against physical damage caused by weather-related events and cybersecurity threats and ensure the continued, uninterrupted provision of services to Hawaii businesses, state government, satellite agencies, and residents. Leveraging modern and up-to-date technology to support critical operation systems is a significant benefit of data center operations, where one of the core missions is to stay at the forefront of technological advancements, enabling reliable data access. Therefore, this measure will promote modernization and increase the reliability of State technological equipment through tax incentives.

Your Committee has amended this measure by:

- (1) Repealing language that limits the application of the Technology Infrastructure Renovation Tax Credit to renovation costs incurred for commercial buildings;
- (2) Extending the reinstatement of the tax credit by one taxable year, making it applicable to taxable years beginning after December 31, 2024, and sunseting for taxable years beginning after December 31, 2027;
- (3) Amending the definition of “renovation costs” to include costs incurred to repair, replace, monitor, test, or purchase of technology enabled infrastructure machinery;
- (4) Clarifying that the definition of “technology-enabled infrastructure” includes high speed telecommunications systems that provide, in whole or in part, internet access, direct satellite communications access, and videoconferencing facilities;
- (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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1784, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1784, 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. 3130 Labor and Technology on H.B. No. 2343

The purpose and intent of this measure is to expedite the enforcement of orders of wage payment violations by allowing the Director of Labor and Industrial Relations to file certified copies of the final orders in any court of competent jurisdiction.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Department of the Attorney General, and Hawaii Operating Engineers Industry Stabilization Fund Political Action Committee.

Your Committee finds that under existing law, the Director of Labor and Industrial Relations must file final orders of wage payment exclusively in the circuit court for the order to be enforced and collected upon. This restriction causes inefficiency in the process, resulting in delayed payments to employees who are entitled to expeditious reimbursement of compensation from their employers who violated wage payment laws. Your Committee also finds that district courts with expedited processes and deadlines would be a more

efficient venue to enforce these orders. This measure will therefore improve the enforcement process for orders of wage payment violation by allowing the proceedings to be brought in district court.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2343, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2343, 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. 3131 Labor and Technology on H.B. No. 2382

The purpose and intent of this measure is to clarify the Employees' Retirement System's eligibility requirement definitions for service-connected disability and accidental death benefits.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and Employees' Retirement System.

Your Committee finds that the purpose of the Employees' Retirement System (ERS) service-connected disability benefits is to compensate members who have been permanently incapacitated for duty as the natural and proximate result of an accident occurring while in the actual performance of duty at some definite time and place, or as the cumulative result of some occupational hazard. Your Committee also finds that these purposes significantly differ from the purposes and conditions of the State's Workers' Compensation Law, that is intended to provide compensation for all work-related injuries. In several recent cases, the Hawaii Supreme Court rendered rulings awarding ERS service-connected disability retirement and accidental death benefits beyond the Legislature's original intent, resulting in an unintended increase in ERS' unfunded liability as a whole. Therefore, this measure is necessary to preserve ERS' service-connected disability and accidental death benefits as originally intended and avoid unintended increases in the ERS unfunded liability.

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 H.B. No. 2382, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2382, 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. 3132 Labor and Technology on H.B. No. 2463

The purpose and intent of this measure is to change the definition of "employee" in Hawaii's Wage and Hour Law to exclude any employee who receives guaranteed compensation totaling \$4,000 or more a month.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Democratic Party of Hawai'i Education Caucus, Hawai'i Children's Action Network Speaks!, Democratic Party of Hawai'i, and Democratic Party of Hawai'i Labor Caucus.

Your Committee received comments on this measure from the Maui Chamber of Commerce.

Your Committee finds that under the existing Hawaii Wage and Hour Law, the definition of "employee" excludes individuals who are employed at a guaranteed compensation totaling \$2,000 or more a month. These employees are not provided the protection of minimum or overtime wage rates, and their employers are not required to comply with the law's recordkeeping provisions, also designed to protect workers. Your Committee further finds that while minimum wage continues to be increased, the guaranteed compensation exemption has not been adjusted correspondingly. The last time the guaranteed compensation level was changed was in 2002, while minimum wage has been adjusted nine times since, and as of today, a monthly compensation of \$2,000 is lower than the monthly wage of an employee earning the current minimum wage of \$14.00 per hour. This measure will allow more employees to be eligible for minimum wage, overtime compensation, and recordkeeping requirements under the State's Wage and Hour Law.

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 H.B. No. 2463, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2463, 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; Ayes with Reservations (Moriwaki). Noes, none. Excused, none.

SCRep. 3133 Labor and Technology on H.B. No. 1944

The purpose and intent of this measure is to authorize certain types of radiographical coverage and specialist consultations without a treatment plan within the context of workers' compensation coverage for employees with cervical and lumbar spinal injuries, or suspected cervical and lumbar spinal injuries.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Disability and Communication Access Board, Hawaii Insurers Council, and four individuals.

Your Committee finds that serious injuries to the cervical or lumbar spine could result in paralysis and that these injuries are often irreversible. Your Committee further finds that urgent medical attention is critical to minimize the effects of a head or neck injury. Therefore, this measure attempts to facilitate early diagnosis of and streamline medical treatment for these types of serious injuries.

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 H.B. No. 1944, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1944, 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. 3134 Labor and Technology on H.B. No. 2373

The purpose and intent of this measure is to make emergency appropriations for collective bargaining cost items for the members of Bargaining Units (1) and (10) and their excluded counterparts, including the cost of salary adjustments negotiated between the State and the bargaining unit representative for fiscal biennium 2023-2025.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; Judiciary; University of Hawai'i System; United Public Workers, AFSCME Local 646, AFL-CIO; and Hawaii Health Systems Corporation.

Your Committee finds that unions representing public employees in Hawaii have been pursuing claims for temporary hazard pay for work performed by government employees during the coronavirus disease 2019 (COVID-19) pandemic pursuant to hazard-pay provisions of the respective collective bargaining agreements, and collective bargaining negotiations regarding the issue are currently in progress. This measure provides a legislative vehicle that can be used to make emergency appropriations if an agreement is reached or an arbitration award is issued requiring an appropriation before the end of the 2024 Regular Session.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2373, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2373, 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. 3135 Labor and Technology on H.B. No. 2374

The purpose and intent of this measure is to make emergency appropriations for collective bargaining cost items for the members of Bargaining Units (2), (3), (4), (9), (13), and (14) and their excluded counterparts, including the cost of salary adjustments negotiated between the State and the bargaining unit representative for fiscal biennium 2023-2025.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; the Judiciary; Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO; and Hawaii Health Systems Corporation.

Your Committee finds that unions representing employees in Hawaii are seeking claims for temporary hazard pay for work government employees performed during the coronavirus disease 2019 (COVID-19) pandemic pursuant to the hazard-pay provisions of the respective collective bargaining agreements, and collective bargaining negotiations regarding the issue are currently in progress. This measure serves as a legislative vehicle that may be used to make emergency appropriations if an agreement is reached or an arbitration award is issued requiring an appropriation before the end of the 2024 Regular Session.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2374, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2374, 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. 3136 Labor and Technology on H.B. No. 2489

The purpose and intent of this measure is to exempt senior software developers in the Department of Taxation from civil service.

Your Committee received testimony in support of this measure from the Department of Taxation.

Your Committee received testimony in opposition to this measure from the Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the Department of Taxation has found it difficult to recruit and retain experienced software developers, as the experience and skillset needed to perform this type of work and the commensurate salary exceed what is currently provided by civil service. Your Committee further finds that by creating a category of exempt senior software developers, the Department will be able to attract and retain skilled employees more easily. Therefore, this measure will create a long-term career path for software developers to remain with the State and decrease the Department's reliance on contracted services.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2489, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2489, 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. 3137 Labor and Technology on H.B. No. 2655

The purpose and intent of this measure is to make appropriations for public employment cost items and cost adjustments for employees of the Senate, House of Representatives, State Ethics Commission, Office of the Auditor, Legislative Reference Bureau, and Office of the Ombudsman, who are excluded from collective bargaining.

Your Committee received testimony in support of this measure from the Office of the Ombudsman, Hawai'i State Ethics Commission, Legislative Reference Bureau, and Office of the Auditor.

Your Committee finds that many legislative officers and employees do not have the same benefits, including salary adjustments, as other State employees who are in collective bargaining units. This measure provides a legislative vehicle to make appropriations should the Legislature determine, prior to the end of the 2024 Regular Session, that public employment cost items and cost adjustments are warranted for legislative officers and employees to ensure that they are compensated equitably with their civil service counterparts.

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 H.B. No. 2655, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2655, 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. 3138 Labor and Technology on H.B. No. 1640

The purpose and intent of this measure is to:

- (1) Require an 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 an employer's failure to initiate the negotiation within the required 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, constitutes an impasse to which impasse procedures under existing law shall apply, unless the impasse occurs within one hundred eighty days after a collective bargaining agreement has been reached between the employer and the exclusive representative of the bargaining unit.

Your Committee received testimony in support of this measure from United Public Workers, AFSCME Local 646, AFL-CIO; Hawai'i Association of School Psychologists; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Hawaii State AFL-CIO.

Your Committee received testimony in opposition to this measure from the Department of Human Resources Development and County of Maui Department of Personnel Services.

Your Committee received comments on this measure from the Department of Budget and Finance, City and County of Honolulu Department of Human Resources, and County of Kaua'i Department of Human Resources.

Your Committee finds that the current process for the repricing of classes within the state government is one-sided in favor of the employer, and does not include any appeal mechanism or adjudication via impartial review. This allows employers to arbitrarily deny requests to negotiate repricing of classes without providing the basis of their determination, and without recourse for the employees. Therefore, this measure serves to protect the rights and interests of public employees while fostering a more collaborative and productive bargaining process.

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 H.B. No. 1640, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1640, 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; Ayes with Reservations (Moriwaki). Noes, none. Excused, none.

SCRep. 3139 Labor and Technology on H.B. No. 1556

The purpose and intent of this measure is to establish and appropriate funds for permanent positions within the Employee Staffing Division of the Department of Human Resources Development for the recruitment and retention of state employees.

Your Committee received testimony in support of this measure from the Department of Human Resources Development.

Your Committee finds that recent loss of authorized staffing positions within the Employee Staffing Division of the Department of Human Resources Development has led to large delays in filling vacant State positions. The Department has also seen a significant increase in applications received for positions throughout the State. This measure will reduce the delay in filling state positions by increasing the number of staff to process applications.

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 H.B. No. 1556, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1556, 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. 3140 Energy, Economic Development, and Tourism on H.B. No. 2356

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 of the Hawaii Technology Development Corporation;
- (2) Add purchasing of renewable energy technology systems as an eligible expense for the Manufacturing Development Grant Program;
- (3) Clarify that training on new and existing manufacturing equipment is an eligible expense for the Manufacturing Development Grant Program; and
- (4) Make appropriations.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Technology Development Corporation; University of Hawai'i System; Hawai'i Farm Bureau; Chamber of Commerce Hawaii; Hawaii Food Industry Association; Small Kine Farm; Hawai'i Integrated Analytics, LLC; Ai.Fish LLC; Maui Brewing Co.; Omao Labs LLC; Hawaii Fish Company Inc.; Piko Provisions; Hawaii Innovations & Technologies LLC; 3D Innovations LLC; Blue Startups, LLC; Oceanit Laboratories, Inc.; Nalu Scientific, LLC; Aloha Shoyu Company, Ltd.; Mana Up; Maui Chamber of Commerce; WaiHome LLC; Holomua Collaborative; and OceanBit Inc.

Your Committee finds that the strength of the State's economy depends upon a diversity in commerce that is resilient to economic downturns and aggressive in creating new growth opportunities. Your Committee further finds that the Hawaii Technology Development Corporation's (HTDC) core programs develop infrastructure, capital, and talent to facilitate the development of technology and manufacturing jobs and also provides technical and financial support for innovative small businesses from the startup stage through growth and export. This measure supports and expands upon HTDC's programs, which will drive technological innovation, create high-quality jobs, and stimulate economic growth in the State.

Your Committee has amended this measure by inserting an effective date of January 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on 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. 2356, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2356, 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. 3141 Energy, Economic Development, and Tourism on H.B. No. 1959

The purpose and intent of this measure is to make an appropriation to establish a position within the Hawaii Technology Development Corporation to assist the Corporation's aerospace coordinator.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation and Chamber of Commerce Hawaii.

Your Committee finds that the aerospace field has played a pivotal role in expanding and diversifying the national economy by forging new inroads to scientific discovery, advancing national engineering and manufacturing expertise, pioneering innovations in

communications and computer technologies, enhancing surveillance, and enabling a better understanding of weather systems and climate change. Your Committee further finds that additional support of the aerospace industry in the State will enable future development and innovation in science and technology.

Your Committee has heard the concerns raised in testimony regarding the ambiguity as to the functions of the position established in this measure and how the establishment of this position will support the Hawaii Technology Development Corporation (HTDC). Your Committee notes that the companion to this measure, S.B No. 2081, S.D. 2 (Regular Session of 2024), which was previously passed by the Senate, also relates to promoting the growth and diversification of the State's aerospace and aeronautics industries through the HTDC. Your Committee finds that the language in S.B No. 2081, S.D. 2, is preferable because it comprehensively establishes the Aerospace and Aeronautics Development Program to provide a focal point within the state government to facilitate dialogue and coordination among the State's public, private, and academic sectors, and between state-based entities and public and private overseas organizations, to promote and grow Hawaii's aerospace and aeronautics industries.

Accordingly, your Committee has amended this measure by deleting its contents and inserting the contents of S.B No. 2081, S.D. 2, a measure that:

- (1) Establishes the Aerospace and Aeronautics Development Program within the Department of Business, Economic Development, and Tourism; and
- (2) Inserts an effective date of January 1, 2060.

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. 1959, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1959, 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. 3142 Energy, Economic Development, and Tourism on H.B. No. 1815

The purpose and intent of this measure is to include agritourism in the definition of "enterprise" to authorize the Agribusiness Development Corporation to financially support businesses engaged in agritourism.

Your Committee received testimony in support of this measure from the Agribusiness Development Corporation, Office of the Mayor of the County of Maui, Hawai'i Farm Bureau, Chamber of Commerce Hawaii, and one individual.

Your Committee received comments on this measure from the Hawai'i Farmers Union United.

Your Committee finds that agritourism comes with economic benefits for farmers and ranchers. From generating additional income and direct marketing to preserving farms, farmland, and local culture and traditions, agritourism diversifies farmers' income streams, meaning they can make money outside of their regular planting season. This measure will diversify the State's economy in a holistic way that positions the tourism industry to give back to the State's communities.

Your Committee has amended this measure by inserting an effective date of January 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on 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. 1815, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1815, 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. 3143 Energy, Economic Development, and Tourism on H.B. No. 2685

The purpose and intent of this measure is to:

- (1) Establish the Solar Hui Program to allow multi-family residential property owners to invest into a solar hui investment fund, which will provide repayment of income derived from energy services agreements to low- and moderate-income households to install solar energy systems;
- (2) Establish the Solar Hui Program Fund Manager position; and
- (3) Appropriate funds for the implementation of the Solar Hui Program and establishment of the Fund Manager position.

Your Committee received testimony in support of this measure from the Hawaii Green Infrastructure Authority; Hawai'i Association of REALTORS; Hawai'i Executive Collaborative Climate Coalition; Hawaii Bankers Association; Blue Planet Foundation; 350Hawaii.org; Hawaii Solar Energy Association, Inc.; Hawaii Credit Union League; and two individuals.

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

Your Committee finds that additional funding for solar energy is needed to achieve the State's renewable energy and decarbonization goals. Your Committee further finds that condominium units represent nearly one-third of the State's housing stock, and that multi-family residential property owners who cannot alter their roofs for solar installation are unable to participate in clean energy adoption or access clean energy investment opportunities. This measure will expand access for residential property owners to participate in clean energy while also using investment funds to bridge financing gaps for low- and moderate-income households to install solar energy systems.

Your Committee has amended this measure by inserting an effective date of January 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on 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. 2685, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2685, 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. 3144 Energy, Economic Development, and Tourism on H.B. No. 2359

The purpose and intent of this measure is to establish the Digital Equity Grant Program to award grants to applicants to deploy digital equity projects to covered populations in the State.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Commerce and Consumer Affairs; State Council on Developmental Disabilities; Office of Hawaiian Affairs; Disability and Communication Access Board; one member of the Kaua'i County Council; Hawaiian Telcom; Chamber of Commerce Hawaii; Broadband Hui; Hawai'i Primary Care Association; Hawai'i Library Association; AARP Hawai'i; Maui Chamber of Commerce; Kapolei Chamber of Commerce; Waianae Coast Comprehensive Health Center; and one individual.

Your Committee finds that digital access and digital skills for remote work, school, and access to social services such as unemployment claims, telehealth, and other essential services within the State are critically important, particularly in rural and socio-economically disadvantaged communities. Your Committee further finds that digital equity programs in communities are essential for the social and economic well-being of the residents of the State. This measure enables the Hawaii Broadband and Digital Equity Office to work with rural and underserved communities to identify and address barriers to digital equity and to increase access and the ability to be full participants in the digital economy.

Your Committee has amended this measure by:

- (1) Removing wireless community networks from the list of eligible projects for the Digital Equity Grant Program;
- (2) Inserting an effective date of January 1, 2060, 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 H.B. No. 2359, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2359, 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; Ayes with Reservations (Fukunaga). Noes, none. Excused, 1 (Kim).

SCRep. 3145 Energy, Economic Development, and Tourism on H.B. No. 1828

The purpose and intent of this measure is to:

- (1) Extend the State's energy-efficiency portfolio standards from 2030 to 2045 and update the standards; and
- (2) Authorize the Public Utilities Commission to adjust the 2045 and interim standards.

Your Committee received testimony in support of this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs; Hawaii State Energy Office; Hawaii Green Infrastructure Authority; Public Utilities Commission; County of Kaua'i Office of Economic Development; City and County of Honolulu Office of Climate Change, Sustainability and Resiliency; Ulupono Initiative; Blue Planet Foundation; Hawai'i Energy; JM Sales Hawaii LLC; Wild Kids Hawai'i; Hawaiian Electric; Democratic Party of Hawai'i; Building Decarbonization Task Force of the Hawai'i Environmental Change Agents; 350 Hawaii.org; Climate Protectors Hawaii; Citizens' Climate Lobby Hawai'i; Hawaii Solar Energy Association, Inc.; Democratic Party of Hawai'i Environmental Caucus; and eight individuals.

Your Committee finds that energy efficiency plays an important role in the State's efforts to transition to clean energy. Your Committee further finds that energy efficiency efforts are an important tool for cost-effectively reducing the State's need for generating resources and providing a means for individual customers to lower their energy bills. This measure supports the State's commitment to energy efficiency by realigning the energy efficiency portfolio standards with the timeline for the State's renewable portfolio standards and allows the Public Utilities Commission to set interim standards to maximize cost-effective energy efficiency programs and technologies to meet the State's clean energy goals.

Your Committee has amended this measure by inserting an effective date of January 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on 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. 1828, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1828, 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, none. Excused, 1 (Kim).

SCRep. 3146 Energy, Economic Development, and Tourism on H.B. No. 2372

The purpose and intent of this measure is to clarify part III of Act 164, Session Laws of Hawaii 2023, as it pertains to the appropriation for the Solar Energy Storage Loan Program.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Green Infrastructure Authority; Public Utilities Commission; Ulupono Initiative; Climate Protectors Hawai'i; PV Tech; Shifted Energy, Inc.; 350 Hawaii.org; Inception Financial LLC; Hawaii Solar Energy Association, Inc.; Energy and Climate Action Committee of the Democratic Party of Hawai'i Environmental Caucus; and one individual.

Your Committee finds that directing funds to the Clean Energy and Energy Efficiency Revolving Loan Fund ensures a continuous and sustainable source of funding to finance solar and storage installations. This not only addresses the immediate financial challenges faced by almost half of the State's residents, but it also creates a long-term solution to support underserved ratepayers. This measure enables the Hawaii Green Infrastructure Authority to continually leverage these funds to financially support more ALICE families by enabling loan repayments to revolve and be recycled.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2060, 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 H.B. No. 2372, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2372, 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 (Kim).

SCRep. 3147 Energy, Economic Development, and Tourism on H.B. No. 2354

The purpose and intent of this measure is to clarify that the Small Business Regulatory Review Board has the authority to review legislation affecting small businesses in response to requests from small business owners.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Small Business Regulatory Review Board; Grassroot Institute of Hawaii; Chamber of Commerce Hawaii; and two individuals.

Your Committee finds that the Small Business Regulatory Review Board (SBRRB) was established to represent the interests of the State's entrepreneurs in the executive branch. Your Committee further finds that it is important that the SBRRB's purview is clearly understood by the small business community and state and county agencies. This measure increases the impact and effectiveness of the SBRRB by expanding their scope of responsibilities to include legislative input.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2060, 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 H.B. No. 2354, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2354, 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 (Kim).

SCRep. 3148 Energy, Economic Development, and Tourism on H.B. No. 2103

The purpose and intent of this measure is to:

- (1) Amend the Hawaii Renewable Hydrogen Program and Hydrogen Investment Capital Special Fund to include a broader focus on long duration clean energy storage;
- (2) Transfer responsibility for the Hawaii Renewable Hydrogen Program to the Hawaii State Energy Office; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office and Energy and Climate Action Committee of the Democratic Party of Hawai'i Environmental Caucus.

Your Committee received comments on this measure from one individual.

Your Committee finds that extreme weather, exacerbated by climate change, can affect the supply and availability of all forms of energy, including local renewable resources and imported fuels. Your Committee further finds that the ability to store locally produced clean energy through long duration clean energy storage technologies can help mitigate the risk of supply disruptions during extreme weather or other events. This measure supports the continued development and storage of resilient, sustainable, and locally produced clean energy in the State and makes the State a competitive candidate for clean energy storage federal grants.

Your Committee has amended this measure by inserting an effective date of January 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on 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. 2103, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2103, 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 (Kim).

SCRep. 3149 (Joint) Agriculture and Environment and Health and Human Services on H.B. No. 1691

The purpose and intent of this measure is to require newly installed or modified individual wastewater systems that are near the shoreline, or likely to pollute groundwater, to include denitrification capacity.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; one member of the Hawai'i County Council; one member of the Kaua'i County Council; Hawai'i State Association of Counties; Wastewater Alternatives and Innovations LLC; Surfriider Foundation, Hawaii Region; Hawai'i Reef and Ocean Coalition; and twelve individuals.

Your Committees received comments on this measure from the Department of Health, University of Hawai'i Sea Grant College Program, University of Hawai'i Water Resources Research Center, and Hawai'i Association of REALTORS.

Your Committees find that wastewater systems have the potential to pollute groundwater and nearshore waters by introducing elevated levels of contaminants, such as nitrogen, phosphorus, and pathogens. Your Committees recognize that a 2023 Hawaii-based study found that septic and cesspool pollution is a major driver of coral reef decline along the coastline of West Hawaii. According to testimony received by your Committees, the denitrification capacity in this measure requires a fifty percent reduction for total nitrogen, which is a standard that is widely used to meet the growing demand for nutrient reduction in coastal areas and sensitive environments. This measure will decrease threats from certain newly installed or modified individual wastewater systems to drinking water, human health, and significant harm to streams and coastal resources, including coral reefs.

Your Committees have amended this measure by:

- (1) Clarifying the definition of "denitrification capacity";
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the 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. 1691, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1691, 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, 3. Noes, none. Excused, 2 (Richards, Awa).
Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3150 (Joint) Agriculture and Environment and Health and Human Services on H.B. No. 1759

The purpose and intent of this measure is to require cesspools attached to or used by housing or lodging that provides transient accommodations to be upgraded, converted, or connected before January 1, 2035, for priority level 1 cesspools and before January 1, 2040, for priority level 2 cesspools, with certain exceptions.

Your Committees received testimony in support of this measure from the Department of Health, Department of Land and Natural Resources, Hawai'i Climate Change Mitigation and Adaptation Commission, University of Hawai'i Sea Grant College Program, University of Hawai'i Water Resources Research Center, one member of the Kaua'i County Council, County of Hawai'i Department of Environmental Management, Wastewater Alternatives and Innovations LLC, Hawai'i Reef and Ocean Coalition, and eight individuals.

Your Committees received comments on this measure from the Hawai'i Association of REALTORS.

Your Committees find that prioritizing and accelerating conversion dates for cesspool systems with the most severe impacts provides more timely protection of the State's groundwater and surface water resources. This measure will reduce the amount of contaminants entering Hawaii's groundwater and nearshore waters for the benefit of current and future residents and visitors of the State.

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 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. 1759, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1759, H.D. 1, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chairs on behalf of the Committees.
Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).
Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3151 (Joint) Agriculture and Environment and Education on H.B. No. 2774

The purpose and intent of this measure is to modify certain benchmark goals and timelines for the Department of Education (Department) to purchase a certain amount of fresh local agricultural products and local value-added, processed, agricultural, or food products.

Your Committees received testimony in support of this measure from the Department of Agriculture, Department of Education, Office of Hawaiian Affairs, Ulupono Initiative, Hawai'i Public Health Institute, and three individuals.

Your Committees find that there are discrepancies between the locally-sourced food benchmarks for the Department of Education and those of other state entities that purchase agricultural products. According to testimony received by your Committees, this measure will help the Department's School Food Services Branch streamline and standardize reporting obligations regarding the status of the Department's progress in meeting local farm-to-school meal cost goals. This measure clarifies that the Department's specific percentage target goals shall be thirty percent by year 2030, thirty-four percent by year 2040, forty-two percent by year 2045, and fifty percent by year 2050.

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 Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2774, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2774, 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, 3. Noes, none. Excused, 2 (Richards, Awa).

Education: Ayes, 5. Noes, none. Excused, none.

SCRep. 3152 (Joint) Agriculture and Environment and Health and Human Services on H.B. No. 1892

The purpose and intent of this measure is to:

- (1) Require certain priority level 1 cesspools to be upgraded, converted, or connected before an unspecified date;
- (2) Require priority level 2 cesspools to be upgraded, converted, or connected before an unspecified date;
- (3) Authorize and appropriate an unspecified amount of funds from the Water Pollution Control Revolving Fund to the Department of Health to retain qualified consultants as necessary to:
 - (A) Identify necessary public outreach and education resources and tools; and
 - (B) Develop a comprehensive public outreach strategy and website to serve as a statewide clearinghouse for information and resources for homeowners and wastewater industry professionals related to cesspool upgrade, conversion, and connection; and
- (4) Appropriate an unspecified amount of funds to the Department of Health to:
 - (A) Implement the Cesspool Compliance Pilot Grant Project established pursuant to Act 153, Session Laws of Hawaii 2022; and
 - (B) Establish an unspecified number of full-time equivalent positions to implement the Cesspool Compliance Pilot Grant Project and perform other cesspool conversion-related work.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands; Department of Land and Natural Resources; Hawai'i Climate Change Mitigation and Adaptation Commission; Hawaii Green Infrastructure Authority; University of Hawai'i Sea Grant College Program; University of Hawai'i Water Resources Research Center; one member of the Kaua'i County Council; County of Hawai'i Department of Environmental Management; Wastewater Alternatives and Innovations LLC; Surfrider Foundation, Hawai'i Region; Puakō for Reefs; Indivisible Hawaii; Hawai'i Reef and Ocean Coalition; Fair Wind Cruises; Public Access to SunScreens Coalition; and seventeen individuals.

Your Committees received comments on this measure from the Department of Health and Hawai'i Association of REALTORS.

Your Committees find that the Cesspool Conversion Working Group established pursuant to Act 132, Session Laws of Hawaii 2018, was convened to facilitate the upgrade or conversion of cesspools on properties within priority upgrade areas to more environmentally-responsible waste treatment systems or the connection of these cesspools to sewer systems before 2050. This measure implements various recommendations of the Cesspool Conversion Working Group.

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 Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1892, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1892, 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, 3. Noes, none. Excused, 2 (Richards, Awa).

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3153 (Joint) Agriculture and Environment and Health and Human Services on H.B. No. 2771

The purpose and intent of this measure is to appropriate an unspecified amount of funds to the Department of Agriculture:

- (1) For the continued administration of the Hawaii Healthy Food Incentive Program; and
- (2) To provide matching funds to beneficiaries who participate in the Supplemental Nutrition Assistance Program.

Your Committees received testimony in support of this measure from the Department of Agriculture; Department of Health; Department of Human Services; Office of Hawaiian Affairs; Office of the Mayor of the County of Maui; one member of the Hawai'i County Council; City and County of Honolulu Office of Climate Change, Sustainability and Resiliency; Local Food Coalition; Hawai'i Hunger Action Network; Hawai'i Good Food Alliance; Ulupono Initiative; Hawai'i Public Health Institute; The Food Basket Inc.; Hawai'i Farm Bureau; Hawaii Food Industry Association; Hawai'i Farmers Union United; Hawaii Appleseed Center for Law and Economic Justice; Democratic Party of Hawai'i; Green Party of Hawai'i; Chamber of Commerce Hawaii; Hawaii Primary Care Association; Hawaii Chapter of 350.org; Zonta Club of Hilo; Hawaii Food Bank, Inc.; Hawaii State AFL-CIO; American Heart Association; Aloha United Way; Hawai'i Alliance for Progressive Action; Pukalani Superette; Beyond Organic Consulting Inc.; Kauai Climate Action Coalition; Hawaii Cattlemen's Council, Inc.; Hawai'i Children's Action Network Speaks!; Ho'ōla Farms; KYD, Inc.; ABC Stores; Hawaii Pacific Health; Hawaii Medical Service Association; AlohaCare; Save Medicare Hawaii; Kaiser Permanente Hawai'i; and sixty-two individuals.

Your Committees find that every community should have access to fresh and healthy dietary options, but the high cost of fresh produce and healthy alternatives often makes that difficult. Your Committees further find that the Hawaii Healthy Food Incentive Program, now commonly known as the DA BUX Double Up Program, provides a dollar-for-dollar match to federal Supplemental Nutrition Assistance Program beneficiaries who purchase locally grown fruits, vegetables, and proteins at participating farmers' markets, grocery stores, and community-supported agriculture projects. Your Committees note that a \$3,000,000 investment by the State in DA BUX Double Up Program would allow the statewide program coordinator, led by The Food Basket Inc., to apply for an additional \$3,000,000 in matching federal funds, totaling \$6,000,000. This measure not only supports the health of local families and farmers, but also the local economy.

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 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. 2771, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2771, 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, 3. Noes, none. Excused, 2 (Richards, Awa).

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3154 (Joint) Labor and Technology and Government Operations on H.B. No. 1645

The purpose and intent of this measure is to require and appropriate funds for the Department of Human Resources Development to submit, as part of its annual report to the Legislature, information and data on vacancies in the Executive Branch.

Your Committees received testimony in support of this measure from the United Public Workers, AFSCME Local 646, AFL-CIO and Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO.

Your Committees received comments on this measure from the Department of Human Resources Development.

Your Committees find that the State currently has a roughly thirty percent vacancy rate in its Executive Branch workforce, which has led to a severe reduction, both in quantity and quality, in government services provided to the public. Your Committees also find that information on various metrics on the overall and department vacancy rates, steps taken to fill each vacant position, which essential civil service positions that are hard to fill, and the impact on government operations and delivery of service due to a vacant position is paramount in understanding this issue. Therefore, this measure will provide the Legislature with a comprehensive set of metrics to better understand and combat the vacancies in the State's Executive Branch.

Your Committees have amended this measure by:

- (1) Clarifying that the annual reports shall include information on both civil service and exempt positions within the State;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and 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 are in accord with the intent and purpose of H.B. No. 1645, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1645, 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.

Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Lee).

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3155 (Joint) Labor and Technology and Government Operations on H.B. No. 1832

The purpose and intent of this measure is to:

- (1) Allow a state department, division, or agency, rather than the Department of Human Resources Development, to conduct a minimum qualification review of applicants for vacant positions within the department, division, or agency and to immediately interview the applicant; and

- (2) Require the Department of Human Resources Development to provide state departments, divisions, and agencies the applications received for vacancies under certain circumstances.

Your Committees received testimony in support of this measure from the Department of Law Enforcement, and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committees received testimony in opposition to this measure from the Department of Human Resources Development.

Your Committees received comments on this measure from the Office of Planning and Sustainable Development; Hawaii Housing Finance and Development Corporation; Department of Transportation; and Department of Business, Economic Development, and Tourism.

Your Committees find that state departments have been plagued with delays in recruitment with much of the delay associated with screening and approval of applications. Additionally, the Department of Human Resources Development has been understaffed for a prolonged period which has undoubtedly caused much of its inability to timely process applications. Therefore, this measure will expedite the application process by giving the departments the power to screen applicants and conduct qualification reviews for vacant positions.

Your Committees have amended this measure by:

- (1) Inserting language requiring the Department of Human Resources Development to correct any errors found in a minimum qualification review received from another state department, division, or agency, and notify the state department, division, or agency within five working days;
- (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 Labor and Technology and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1832, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1832, 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.

Labor and Technology: Ayes, 4; Ayes with Reservations (Ihara). Noes, none. Excused, 1 (Lee).

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3156 (Joint/Majority) Labor and Technology and Public Safety and Intergovernmental and Military Affairs on H.B. No. 1530

The purpose and intent of this measure is to require that an employer of firefighters maintain its fire staffing service at a level of not less than four on-duty firefighters in each company, for a collective bargaining agreement or executive policy in effect on and after July 1, 2025.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations; County of Maui Department of Fire and Public Safety; Honolulu Fire Department; and Hawaii Fire Fighters Association, Local 1463, IAFF, AFL-CIO.

Your Committees received testimony in opposition to this measure from the Office of Collective Bargaining and City and County of Honolulu Department of Human Resources.

Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that firefighting staffing directly affects the delivery of fire protection services, with reduced staffing levels equating to reduced service levels. Your Committees further find that poorly staffed companies can result in an increased likelihood of property and life loss. Therefore, this measure will establish a minimum company staffing level for firefighters to reduce this risk.

Your Committees have amended this measure by:

- (1) Inserting a commencement date of July 1, 2028, for the minimum staffing of four on-duty firefighters within a company; 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 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 H.B. No. 1530, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1530, 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.

Labor and Technology: Ayes, 3. Noes, 1 (Moriwaki). Excused, 1 (Fevella).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3157 (Joint) Labor and Technology and Public Safety and Intergovernmental and Military Affairs on H.B. No. 1889

The purpose and intent of this measure is to expand workers' compensation medical benefits for firefighters to include coverage for breast cancer and cancer of the female reproductive organs.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations; Disability and Communication Access Board; County of Maui Department of Fire and Public Safety; Honolulu Fire Department; International Longshore and Warehouse Union Local 142; and Hawaii Fire Fighters Association, Local 1463, IAFF, AFL-CIO.

Your Committees find that although fire departments are expected to use the best available equipment and risk management practices to reduce a firefighter's exposure to contaminants, exposure may be unavoidable as some house fires and vehicle fires release highly concentrated toxicants from burning plastics and other synthetics. Your Committees also find that due to anatomical differences, female firefighters may develop a wide variety of cancers and develop them at an earlier age than most other women. By providing workers' compensation coverage for breast cancer and cancer of female reproductive organs for firefighters, this measure will ensure that firefighters receive timely and appropriate medical treatment, and ease the emotional and financial burdens for firefighters and their families.

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 H.B. No. 1889, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1889, 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.

Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3158 (Joint) Labor and Technology and Public Safety and Intergovernmental and Military Affairs on H.B. No. 1843

The purpose and intent of this measure is to establish and appropriate funds for the Office of the State Fire Marshal within the Department of Labor and Industrial Relations to direct fire protection efforts statewide.

Your Committees received testimony in support of this measure from the Office of the Governor, Department of Labor and Industrial Relations, State Fire Council, Department of Land and Natural Resources, County of Hawai'i Fire Department, County of Maui Department of Fire and Public Safety, Honolulu Fire Department, one member of the Maui County Council, and Democratic Party of Hawai'i.

Your Committees received comments on this measure from the Department of the Attorney General and Maui Chamber of Commerce.

Your Committees find that state fire marshals serve an integral role in coordinating fire prevention among local agencies. Your Committees find, however, that Act 241, Session Laws of Hawaii 1978, abolished the Office of the State Fire Marshal and replaced it with the State Fire Council, comprising the Fire Chiefs of the counties, Fire Chief of the Hawaii State Aircraft Rescue Fire Fighting unit, and a representative of the Division of Forestry and Wildlife of the Department of Land and Natural Resources. Your Committees find, however, that the State Fire Council is limited in its scope and responsibilities, has a relatively small budget, is staffed by a small number of part-time employees, and can only meet on a quarterly basis due to the high demand of the members' leadership positions. Therefore, this measure will reestablish the position of the State Fire Marshal to provide critical input and oversight to the State's fire code, standardize training requirements for county fire departments, lead fire investigations to determine fire origin and cause, and provide and coordinate public education and awareness on fire safety.

Your Committees have amended this measure by:

- (1) Deleting language that would have:
 - (A) Established the Office of the State Fire Marshal within the Department of Labor and Industrial Relations to be headed by the State Fire Marshal;
 - (B) Required the Governor to appoint the State Fire Marshal without regard to chapters 76 and 89, Hawaii Revised Statutes, to serve for a period of ten years, from a list of three nominees submitted by the State Fire Marshal;
 - (C) Allowed the State Fire Marshal to hire staff as necessary;
 - (D) Required the State Fire Marshal to have the qualifications, experience, and expertise in fire safety, prevention, and control necessary to successfully perform the duties of the position; and
 - (E) Required the State Fire Marshal to perform certain duties;
- (2) Inserting language that:
 - (A) Establishes within the Department of Labor and Industrial Relations a State Fire Marshal, who shall be appointed by the State Fire Council without regard to chapter 76, Hawaii Revised Statutes, to serve for a period of ten years;
 - (B) Exempts the appointment of the State Fire Marshall from being subject to the advice and consent of the Senate;
 - (C) Requires the terms and conditions of the appointment of the State Fire Marshal to be established by the State Fire Council;
 - (D) Requires the State Fire Marshal to have the same powers and authority as county fire chiefs under sections 132D-4, 132D-16.6, and 132D-16.7, and chapter 132, Hawaii Revised Statutes; and
 - (E) Requires the State Fire Marshal to perform certain duties, including preparing and submitting annual reports to the Governor and the State Fire Council;

- (3) Inserting language that amends section 76-16(b), Hawaii Revised Statutes, to include the State Fire Marshal as a position exempt from chapter 76, Hawaii Revised Statutes; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on 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 H.B. No. 1843, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1843, 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, 4. Noes, none. Excused, 1 (Fevella).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3159 Public Safety and Intergovernmental and Military Affairs on H.B. No. 2342

The purpose and intent of this measure is to:

- (1) Prohibit carrying or using a firearm in the commission of a separate misdemeanor offense; and
- (2) Clarify prohibitions regarding deadly or dangerous weapons, switchblade knives, and butterfly knives.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and one individual.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender, Hawaii Firearms Coalition, and forty-nine individuals.

Your Committee finds that while the use of a firearm in the commission of a felony is already prohibited under section 134-21, Hawaii Revised Statutes, there is a need to expand the prohibition to the use of firearms in misdemeanor offenses. Your Committee further finds that a new law to specifically address the carry or use of a firearm in the commission of a separate misdemeanor is necessary to increase public safety. This measure will address hazards to the health, safety, and welfare of Hawaii residents by updating and clarifying existing statute related to firearms and weapons.

Your Committee has amended this measure by:

- (1) Inserting language specifying that the permit requirements for the acquisition of a rifle or shotgun under 134-2(g), Hawaii Revised Statutes, shall not apply to an applicant who has been issued a hunter education certificate that is valid for life or has received a written exemption; and
- (2) Making 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. 2342, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2342, 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 (Awa).

SCRep. 3160 Public Safety and Intergovernmental and Military Affairs on H.B. No. 2351

The purpose and intent of this measure is to amend the annual reporting requirement for the Department of the Attorney General concerning concealed carry licenses.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Honolulu Police Department, and one individual.

Your Committee received testimony in opposition to this measure from twenty-one individuals.

Your Committee finds that existing statute requires the Department of the Attorney General to report demographic information of conceal carry license applicants and licensees including the applicant's age, gender, and race. Your Committee further finds that these requirements may create unintended biases during the licensure process. This measure will ensure a comprehensive report but reduce potential biases by removing the demographic reporting requirements.

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 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. 2351, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2351, 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 (Awa).

SCRep. 3161 Public Safety and Intergovernmental and Military Affairs on H.B. No. 2353

The purpose and intent of this measure is to establish the Criminal Justice Data Sharing and Research Group to consolidate the efforts of the Criminal Justice Data Sharing Working Group and the Gun Violence and Violent Crimes Commission.

Your Committee received testimony in support of this measure from the Department of the Attorney General and Department of Law Enforcement.

Your Committee received testimony in opposition to this measure from the Public First Law Center and League of Women Voters of Hawaii.

Your Committee received comments on this measure from the Office of Information Practices and one individual.

Your Committee finds that there are several working groups and commissions that focus on gun violence, violent crime, and criminal data sharing, including the Governor's Commission on Crime, Criminal Justice Data Sharing Working Group, and Gun Violence and Violent Crimes Commission. Your Committee further finds that the abundance of working groups dedicated to firearms creates a burden on public servants who attend overlapping and often redundant meetings. This measure will increase efficiency and effectiveness by merging the Criminal Justice Data Sharing Working Group and the Gun Violence and Violent Crimes Commission to consolidate their efforts.

Your Committee has amended this measure by:

- (1) Deleting language that would have exempted the Criminal Justice Data Sharing and Research Group from the Sunshine Law;
- (2) Adding language to allow the Criminal Justice Data Sharing and Research Group to assemble a special closed session for the protection of individually identifiable criminal justice data;
- (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 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. 2353, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2353, 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 (Awa).

SCRep. 3162 Public Safety and Intergovernmental and Military Affairs on H.B. No. 2622

The purpose and intent of this measure is to appropriate funds to the Department of Law Enforcement for the State's Gun Buyback Program.

Your Committee received testimony in support of this measure from the Department of Law Enforcement and three individuals.

Your Committee received testimony in opposition to this measure from twenty-nine individuals.

Your Committee received comments on this measure from two individuals.

Your Committee finds that the State's Gun Buyback Program offers residents a safe way to dispose of unwanted or unlawful firearms. Your Committee further finds that the previous gun buyback event was successful and allowed law enforcement officers to properly dispose of nearly five hundred firearms on Oahu. Your Committee believes that an additional gun buyback program event will help reduce firearm-related assaults and suicides, and gun-related accidents involving children.

Your Committee has amended this measure by inserting an effective date of July 1, 2042, to encourage further discussion.

Your Committee notes that the House 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 \$825,000 for fiscal year 2024-2025.

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. 2622, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2622, 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. 3163 (Joint) Public Safety and Intergovernmental and Military Affairs and Labor and Technology on H.B. No. 2395

The purpose and intent of this measure is to make Hawaii National Guard service members activated by the Governor or the Governor's designated representative to state active duty ineligible for enrollment in the Employees' Retirement System based on the active duty.

Your Committees received testimony in support of this measure from the Department of Defense and Hawaii National Guard Enlisted Association.

Your Committees received comments on this measure from the Employees' Retirement System.

Your Committees find that during the August 2023 Maui wildfires, the Hawaii National Guard servicemembers who were called to active duty by the Governor and Adjutant General played a crucial role in ensuring the success of Lahaina's response missions. Your Committees further find that Hawaii National Guard servicemembers face financial burdens with the mandatory enrollment in the

Employees' Retirement System due to the temporary nature of their work for the State. This measure will grant financial flexibility to National Guard servicemembers by exempting them from mandatory payments into the Employees' Retirement System.

Your Committees have amended this measure by inserting an effective date of July 1, 2042, 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 H.B. No. 2395, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2395, 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, none. Excused, 1 (Awa).

Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3164 (Joint) Public Safety and Intergovernmental and Military Affairs and Labor and Technology on H.B. No. 2461

The purpose and intent of this measure is to make the Hawaii Cybersecurity, Economic, Education, and Infrastructure Security Coordinator exempt from civil service.

Your Committees received testimony in support of this measure from the Department of Law Enforcement.

Your Committees find that the Cybersecurity, Economic, Education, and Infrastructure Security Coordinator serves as a crucial nexus between various sectors such as cybersecurity, economy, education, and infrastructure thereby ensuring a comprehensive and cohesive approach to the State's security and prosperity. Your Committees further find that the position's extensive responsibilities are not just administrative but are pivotal in safeguarding the State's digital landscape. This measure recognizes that exempting this position from civil service is a necessary step to secure Hawaii's digital and physical infrastructure, enhance economic resilience, and educate the future workforce in crucial cybersecurity skills.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2042, 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 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 H.B. No. 2461, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2461, 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, none. Excused, 1 (Awa).

Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3165 Housing on H.B. No. 1761

The purpose and intent of this measure is to:

- (1) Authorize the Hawaii Housing Finance and Development Corporation to issue bonds for housing project infrastructure and finance the development of regional state infrastructure projects;
- (2) Exempt bonds issued by the Hawaii Housing Finance and Development Corporation for improvements by assessments, and the interest thereon, from certain taxes, with exceptions;
- (3) Include proceeds from bonds issued for regional state infrastructure projects as a source of revenue for regional state infrastructure subaccounts; and
- (4) Authorize regional state infrastructure subaccount revenues to be used to repay regional state infrastructure project bond holders.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Hawaii Housing Finance and Development Corporation, Hawai'i Community Development Authority, Office of Planning and Sustainable Development, NAIOP Hawaii, Partners in Care, and two individuals.

Your Committee finds that the State is currently in the middle of a housing shortage. The development of additional housing inventory often comes hand-in-hand with the need to update aging infrastructure to accommodate the new units. The cost of updating this infrastructure often falls on the shoulders of the developers seeking to build the housing project, which ultimately leads to the costs being passed down to the residents seeking to purchase these homes or units. Therefore, this measure offers an alternative finance option for regional infrastructure development and improvements in order to lessen this burden.

Your Committee notes that no taxpayer funds would be used in the repayment of the bonds issued by this measure.

Your Committee has amended this measure by:

- (1) Specifying that bonds may be issued in conjunction with the formation of infrastructure improvement districts; and
- (2) Clarifying that assessments from the improvement districts shall be a source of revenue to repay the bonds.

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. 1761, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1761, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Kanuha).

SCRep. 3166 Housing on H.B. No. 1763

The purpose and intent of this measure is to:

- (1) Require the allocation of Low-Income Housing Tax Credits be issued pursuant to a priority system;
- (2) Amend the priority criteria for which funds in the Rental Housing Revolving Fund are to be used; and
- (3) Require the Hawaii Housing Finance and Development Corporation to add new criteria and point allocations to the Qualified Allocation Plan.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Hawaii Public Housing Authority, Partners in Care, AARP Hawai'i, Aloha United Way, and two individuals.

Your Committee received testimony in opposition to this measure from Affordable Housing Connections LLC and Stanford Carr Development.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation, Disability and Communication Access Board, and Catholic Charities Hawai'i.

Your Committee finds that Hawaii is currently undergoing a housing shortage. Your Committee also finds that the State's current housing inventory is aging, with many of its public housing units functionally obsolete or approaching this threshold. Therefore, this measure aims to combat this issue by promoting and funding the development of affordable housing.

Your Committee has amended this measure by:

- (1) Deleting section 1 of the measure, which would have required the allocation of Low-Income Housing Tax Credits to be issued pursuant to a priority system;
- (2) Clarifying that moneys available in the Rental Housing Revolving Fund shall be used for projects demonstrating project readiness;
- (3) Deleting section 3 of the measure, which would have required the Hawaii Housing Finance and Development Corporation to adopt rules relating to the Qualified Allocation Plan and criteria point system;
- (4) Making this measure apply to Rental Housing Revolving Fund applications submitted after June 30, 2024;
- (5) Making this measure effective upon its approval; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1763, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1763, 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 (Kanuha).

SCRep. 3167 (Majority) Housing on H.B. No. 2548

The purpose and intent of this measure is to:

- (1) Establish the Accessory Dwelling Unit Loan Program to provide loans and technical assistance grants for the development of accessory dwelling units; and
- (2) Establish the Accessory Dwelling Unit Loan Revolving Fund and appropriate funds into and out of the Revolving Fund to implement the Accessory Dwelling Unit Loan Program.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, County of Hawai'i Office of Housing and Community Development, AARP Hawai'i, Council for Native Hawaiian Advancement, Hawaii Habitat for Humanity Association, one member of the Maui County Council, and one individual.

Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the State is undergoing a housing shortage and constructing accessory dwelling units is a critical part of addressing the housing shortage. However, traditional financing for accessory dwelling units may be difficult for many homeowners to secure. Therefore, this measure aims to overcome this obstacle by establishing an Accessory Dwelling Unit Loan Program to address the costs associated with building accessory dwelling units.

Your Committee notes that loan programs with favorable terms but limited funding can become "lottery ticket" programs, in which a lucky few recipients receive large financial benefits, while the vast majority of eligible recipients remains in the exact same situation. To avoid such a situation, your Committee suggests a narrower targeting of the eligible beneficiary class to more thoughtfully ensure that the funds go where they are needed most. Your Committee respectfully asks that these issues be considered as this measure moves through the legislative process.

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. 2548, H.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2548, H.D. 3, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Kanuha).

SCRep. 3168 (Majority) Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 13

The purpose and intent of this measure is to:

- (1) Urge members of Hawaii's congressional delegation to support the Ceasefire Now Resolution introduced by United States Congresswoman Cori Bush; and
- (2) Urge members of Hawaii's congressional delegation to insist that the Biden Administration call for an immediate, permanent ceasefire in Gaza, to facilitate the de-escalation of hostilities to end the current violence, promptly send and facilitate the entry of humanitarian assistance into Gaza, including fuel, food, water, and medical supplies, and begin negotiations for lasting peace.

Your Committee received testimony in support of this measure from Women Organizing for Change in Agriculture and Natural Resource Management; National Alliance for Filipino Concerns; Americans for Democratic Action Hawai'i; Democratic Party of Hawai'i; Green Party of Hawai'i; Hawai'i Workers Center; Veterans for Peace, Hawaii Chapter 113; Our Revolution Hawaii; Rise for Palestine; Showing Up for Racial Justice Hawai'i; Hawai'i Alliance for Progressive Action; Maui for Palestine; Students and Faculty for Justice in Palestine; Sierra Club of Hawai'i; Roots Reborn; AF3IRM Hawai'i; Ka Lāhui Hawai'i; Muslim Association of Hawaii; Jewish Voice for Peace-Hawai'i; Faith Action Hawai'i; Calvary by the Sea Lutheran Church; Interfaith Alliance Hawai'i; Ka Lei Maile Aii; Malu 'Āina; 'Ai Pohaku, and more than five hundred 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 between October 7 and December 2, 2023, armed violence has claimed the lives of more than thirteen thousand Palestinians and some one thousand two hundred Israelis, and wounded tens of thousands more, the vast majority of which were civilians. Your Committee further finds that hundreds of thousands of lives are at imminent risk if a permanent ceasefire is not reached and humanitarian aid is not delivered without delay. Your Committee recognizes the urgent need for a ceasefire to alleviate the Israeli government's actions including targeted attacks on hospitals, schools, and places of worship; acts of violence on children and civilians; denial of food, water, fuel, medicine, and other forms of humanitarian assistance.

Your Committee has amended this measure by:

- (1) Adding that on January 26, 2024, the world's highest court, the International Court of Justice declared that Palestinians in Gaza are facing a plausible genocide;
- (2) Inserting language to emphasize the threat of famine that Palestinians face;
- (3) Clarifying that the Israeli government is also restricting Gaza's access to medicine;
- (4) Clarifying that the United States government has declared Hamas as a terrorist organization;
- (5) Adding that the United States government has economic power to halt the war and save Palestinian and Israeli lives;
- (6) Clarifying that the President of the United States, in addition to Hawaii's congressional delegation, is urged to publicly call for an immediate and permanent ceasefire in Gaza and to continue negotiations for lasting peace;
- (7) Adding that certified copies of the Senate Concurrent Resolution be sent to the Majority Leader of the United States Senate, Majority Leader of the United States House of Representatives, Minority Leader of the United States Senate, Chair of the Republican National Committee, and Governor;
- (8) Amending the title in accordance with its amended purpose;
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on 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. 13, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 13, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 1 (Rhoads). Excused, 1 (Awa).

SCRep. 3169 (Majority) Public Safety and Intergovernmental and Military Affairs on S.R. No. 6

The purpose and intent of this measure is to:

- (1) Urge members of Hawaii's congressional delegation to support the Ceasefire Now Resolution introduced by United States Congresswoman Cori Bush; and
- (2) Urge members of Hawaii's congressional delegation to insist that the Biden Administration call for an immediate, permanent ceasefire in Gaza, to facilitate the de-escalation of hostilities to end the current violence, promptly send and facilitate the entry

of humanitarian assistance into Gaza, including fuel, food, water, and medical supplies, and begin negotiations for lasting peace.

Your Committee received testimony in support of this measure from the more than ninety individuals.

Your Committee received testimony in opposition to this measure from the Hawaii Federation of Republican Women and three individuals.

Your Committee received comments on this measure from one individual.

Your Committee finds that between October 7 and December 2, 2023, armed violence has claimed the lives of more than thirteen thousand Palestinians and some one thousand two hundred Israelis, and wounded tens of thousands more, the vast majority of which were civilians. Your Committee further finds that hundreds of thousands of lives are at imminent risk if a permanent ceasefire is not reached and humanitarian aid is not delivered without delay. Your Committee recognizes the urgent need for a ceasefire to alleviate the Israeli government's actions including targeted attacks on hospitals, schools, and places of worship; acts of violence on children and civilians; denial of food, water, fuel, medicine, and other forms of humanitarian assistance.

Your Committee has amended this measure by:

- (1) Adding that on January 26, 2024, the world's highest court, the International Court of Justice declared that Palestinians in Gaza are facing a plausible genocide;
- (2) Inserting language to emphasize the threat of famine that Palestinians face;
- (3) Clarifying that the Israeli government is also restricting Gaza's access to medicine;
- (4) Clarifying that the United States government has declared Hamas as a terrorist organization;
- (5) Adding that the United States government has economic power to halt the war and save Palestinian and Israeli lives;
- (6) Clarifying that the President of the United States, in addition to Hawaii's congressional delegation, is urged to publicly call for an immediate and permanent ceasefire in Gaza and to continue negotiations for lasting peace;
- (7) Adding that certified copies of the Senate Resolution be sent to the Majority Leader of the United States Senate, Majority Leader of the United States House of Representatives, Minority Leader of the United States Senate, Chair of the Republican National Committee, and Governor;
- (8) Amending the title in accordance with its amended purpose;
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on 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. 6, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 6, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 1 (Rhoads). Excused, 1 (Awa).

SCRep. 3170 (Joint) Energy, Economic Development, and Tourism and Agriculture and Environment on H.B. No. 1972

The purpose and intent of this measure is to establish a working group within the Hawaii State Energy Office to make recommendations for the reuse and recycling of electric vehicle batteries.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office; Department of Health; Hawai'i Environmental Change Agents Solid Waste Reduction Task Force; Redwood Materials Inc.; Hawai'i Reef and Ocean Coalition; Climate Protectors Hawai'i; Hawaii Automobile Dealers Association; and Energy and Climate Action Committee of the Democratic Party of Hawai'i Environmental Caucus.

Your Committees received comments on this measure from Radius Recycling, Alliance for Automotive Innovation, and one individual.

Your Committees find that improving the management of end-of-life batteries is a part of achieving the State's resilient clean energy economy. Your Committees further find that electric vehicle (EV) batteries contain critical materials that have the realistic potential to continue serving the energy economy, assuming the EV battery waste stream is managed well in the reverse supply chain. This measure's proposed working group will help the state ensure the integration of end-of-life battery management aligns with its clean energy objectives.

Your Committees have amended this measure by:

- (1) Inserting a representative of the automotive recycling industry to be invited to serve as a member of the Electric Vehicle Battery Recycling and Reuse Working Group; and
- (2) Inserting an effective date of January 1, 2060, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1972, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1972, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Kim).
 Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3171 (Joint) Energy, Economic Development, and Tourism and Government Operations on H.B. No. 2614

The purpose and intent of this measure is to:

- (1) Require government entities in the State that issue building permits to implement, by January 1, 2025, 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; and
- (2) Require government entities in the State that issue building permits in areas served by an investor-owned electric utility to adopt a self-certification process for solar distributed energy resource systems that are not SolarAPP+ compatible.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office; Hawaii Green Infrastructure Authority; Ulupono Initiative; Climate Protectors Hawai'i; Hawai'i Executive Collaborative Climate Coalition; Hawaii Unified Industries, LLC; Sunnova Energy International, Inc.; Greenpeace Hawaii; Hawaii Food Industry Association; 350 Hawaii.org; Sierra Club of Hawai'i; Green Party of Hawai'i; Hawaii Solar Energy Association, Inc.; Blue Planet Foundation; Citizens' Climate Lobby Hawaii; Green Power Projects, LLC; Inception Financial LLC; Chamber of Sustainable Commerce; Kauai Climate Action Coalition; Hawai'i Environmental Change Agents Building Decarbonization Task Force; Sunaru Inc. dba Solar Help Hawaii; Catholic Charities Hawai'i; Alternate Energy, Inc.; Tesla; Hawai'i Energy; and thirty-four individuals.

Your Committees received testimony in opposition to this measure from the Contractors License Board.

Your Committees received comments on this measure from the City and County of Honolulu Department of Planning and Permitting and Board of Professional Engineers, Architects, Surveyors, and Landscape Architects.

Your Committees find that the permitting processes can add substantial time and cost to the adoption of residential solar and energy storage projects. Your Committees further find 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, and the State's permit-issuing government entities should similarly take advantage of these tools to help meet the State's clean energy, reliability, and resilience needs. This measure will reduce administrative barriers to the deployment of energy generation and storage technology systems to more efficiently facilitate the transition toward renewable energy in the State.

Your Committees have amended this measure by:

- (1) Inserting an effective date of January 1, 2060, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note concerns regarding the uncertainty of security measures with the statewide implementation of SolarAPP+, or a functionally equivalent online automated permitting platform, and the possibility of cyber hackers to access private information. Your Committees further note that the counties are already capable of implementing the adoption of SolarAPP+ or a functionally equivalent online automated permitting platform. Accordingly, your Committees find that these concerns merit further consideration and respectfully request further examination by subsequent committees who may choose to deliberate on this measure as it advances through the legislative process.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2614, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2614, H.D. 1, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Kim, Fevella).
 Government Operations: Ayes, 5. Noes, none. Excused, none.

SCRep. 3172 (Joint) Higher Education and Public Safety and Intergovernmental and Military Affairs on H.B. No. 2805

The purpose and intent of this measure is to appropriate funds for the University of Hawaii to conduct a multiethnic cohort study and develop and maintain a registry regarding the health effects of the August 2023 Maui wildfires.

Your Committees received testimony in support of this measure from the Department of Health, Department of Human Services, University of Hawai'i System, Hawaii Medical Service Association, Roots Reborn, American Lung Association Hawai'i, Hawai'i Psychological Association, Hawai'i Health C.A.R.E. Hui, Hawaii Medical Association, Hawai'i Public Health Association, Hawai'i Public Health Institute, American Cancer Society Cancer Action Network, 'Ahahui o nā Kauka, Healthy Mothers Healthy Babies Coalition of Hawaii, Mental Health America of Hawai'i, Hispanic Chamber of Commerce Hawaii, and twenty individuals.

Your Committees find that the effects of the August 2023 Maui wildfires created long-term health risks to the impacted communities. However, the gravity of short- and long-term health risks remain largely unknown, creating uncertainty for policy, resources, and overall needs for Maui residents. The data collected from the multiethnic cohort study proposed by this measure will provide public health workers with valuable insight to understand the unique needs of Maui residents and guide resource allocation and prevention activities.

Your Committees further find that, according to the University of Hawaii's testimony, the University of Hawaii Economic Research Organization has collaborated with the John A. Burns School of Medicine, other university units, and community agencies to commence initial stages of the Maui Wildfire Exposure Study, including recruitment of nearly seven hundred participants for the exposure study to initiate diagnostic tests. While the study has collected samples, health screening information, and social aspects of

participants, additional funding is needed to analyze the samples for toxins such as heavy metals and for additional recruitment efforts. Additionally, the creation of a registry is a one-time cost to inform participants of any intervention recommended by the Department of Health or public health advisories while analyzing potential health risks through existing medical records. Your Committees note that the Maui Wildfire Exposure Study is awaiting results from federal grants and intends to pursue additional federal and community funding. Therefore, this measure will provide additional support to resume initial data analysis while recruiting additional participants to further understand the short- and long-term impacts of the August 2023 Maui wildfires.

Your Committees have amended this measure by:

- (1) Requiring the University of Hawaii to seek matching, or more, federal and community funding, in addition to appropriations, to complete the multiethnic cohort study and registry; 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 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. 2805, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2805, 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 (Kidani).

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 3173 Health and Human Services on H.B. No. 2744

The purpose and intent of this measure is to:

- (1) Establish an Oral Health Task Force to review the status of oral health in the State and make recommendations to improve the State's oral health infrastructure;
- (2) Require the Oral Health Task Force to submit reports to the Legislature; and
- (3) Appropriate funds to facilitate the work of the Oral Health Task Force.

Your Committee received testimony in support of this measure from the Department of Health, State Council on Developmental Disabilities, Hawaii Association of Health Plans, University of Hawai'i System, Hawai'i Oral Health Coalition, Hawai'i Children's Action Network Speaks!, Hawaii Disability Rights Center, Hawaii Dental Service, Papa Ola Lokahi, Democratic Party of Hawai'i Kūpuna Caucus, Hawaii Island Community Health Center, AlohaCare, and five individuals.

Your Committee received comments on this measure from the Department of Human Services and Hawaii Dental Association.

Your Committee finds that oral health is a particularly critical issue in the State with many children and adults suffering from preventable dental diseases. Your Committee further finds that the Department of Health's Dental Health Division was eliminated in 2009 due to budget cuts. Accordingly, this measure's proposed Oral Health Task Force will be instrumental in identifying key elements necessary to rebuild a public health dental program in the Department of Health and improve overall oral health in the State.

Your Committee has amended this measure by:

- (1) Inserting language that permits the Oral Health Task Force members to meet and discuss task force business without having quorum pursuant to section 92-2.5, Hawaii Revised Statutes, relating to permitted interactions of members; provided that the members convening in discussion without quorum report the matters discussed at the next duly noticed meeting of the task force and that no commitment to vote is made or sought;
- (2) Making it effective upon its approval; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the 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. 2744, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2744, 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 (Awa).

SCRep. 3174 Judiciary on H.B. No. 2570

The purpose and intent of this measure is to require petitions or motions for a pro hac vice appearance for a court or arbitration proceeding to be supported by certain evidence to ensure that both the applicant and local counsel will pay all state income tax due for Hawaii business activities as well as any other information or documentation required by the Rules of the Hawaii Supreme Court.

Your Committee received testimony in support of this measure from the Hawaii Association of Public Accountants.

Your Committee received testimony in opposition to this measure from the Judiciary and one individual.

Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that out-of-state attorneys who practice in the State's courts pro hac vice may be unaware that they owe the State general excise taxes. Unlike the general excise tax in most states, Hawai'i's tax applies to both gross rental income and gross service income. This measure will help inform out-of-state attorneys practicing in the State pro hac vice of their state tax obligations by amending the process by which the attorneys are admitted to practice law in the State's courts.

Your Committee has amended this measure by inserting an effective date of April 14, 2112, 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. 2570, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2570, 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. 3175 Judiciary on H.B. No. 1805

The purpose and intent of this measure is to:

- (1) Allow for the interest earned on payments under protest in the Litigated Claims Fund to be paid in nontaxation cases if the claimant prevails; and
- (2) Establish a procedure for the disposition of moneys and refiling of actions when a payment under protest suit is filed prematurely.

Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that if a taxpayer pays money under protest but then sues for a refund before the defendant agency has formally taken a position on whether the money is due, the appeal is to be dismissed. However, if the agency later decides that the money is indeed due, it is usually too late for the suit to be refiled, potentially allowing the agency to keep the disputed moneys as a government realization without allowing the taxpayer to obtain a judicial ruling on the merits of the exaction. This measure will prevent the possibility of injustice by adding procedural safeguards to ensure that the courts will be able to reach the merits of the dispute.

Your Committee has amended this measure by:

- (1) Requiring the refiling of a premature action to recover payment of taxes paid under protest to be brought within a thirty-day period after a final agency decision is made instead of within two years; and
- (2) Making it effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1805, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1805, 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. 3176 Judiciary on H.B. No. 2486

The purpose and intent of this measure is to authorize the Department of Taxation to serve administrative subpoenas outside the State.

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 under existing law, the Department of Taxation is authorized to issue administrative subpoenas in a civil audit, civil investigation, civil hearing, or criminal investigation. Section 231-7, Hawaii Revised Statutes, provides that the administrative subpoena may be served at any place within the State, but is silent as to whether service of the administrative subpoena may be executed outside the State. Your Committee further finds that the number of taxpayers who engage in business in the State, and who are therefore subject to state taxes, but who do not have a physical presence in the State or do not maintain a location for service of process in the State, has increased in recent years. Your Committee believes that eliminating in-state geographic restrictions for civil and criminal subpoenas would provide a key tool to help the Department of Taxation enforce tax laws and hold out-of-state taxpayers accountable for meeting their tax obligations. This measure will improve tax compliance and promote dynamic and efficient use of Department of Taxation resources.

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. 2486, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2486, 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. 3177 Judiciary on H.B. No. 1608

The purpose and intent of this measure is to:

- (1) Appropriate funds for an unspecified number of deputy public defender positions within the Office of the Public Defender; and
- (2) Require that one of the positions be assigned to the family court section.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Hawaii Paroling Authority, ACLU of Hawai'i, and two individuals.

Your Committee finds that the Office of the Public Defender provides legal representation for indigent defendants charged in state court with offenses involving the possibility of incarceration. However, Act 9, Session Laws of Hawaii 2020, defunded and abolished several positions within the Office of the Public Defender. Your Committee further finds that if the Office of the Public Defender is understaffed for extended periods of time, it may result in case overloads, continuances of cases, backlogs in the courts, and other major problems in the justice system. This measure will ensure that the Office of the Public Defender meets its constitutional and statutory requirements by restoring critically important positions to the Office.

Your Committee has amended this measure by:

- (1) Inserting an appropriation amount of \$627,300 for four deputy public defender III positions within the Office of the Public Defender;
- (2) Inserting an effective date of April 14, 2112, 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 H.B. No. 1608, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1608, 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. 3178 Judiciary on H.B. No. 1806

The purpose and intent of this measure is to:

- (1) Remove language specifying that an appeal from the Tax Appeal Court be filed with the Tax Appeal Court; and
- (2) Allow an appeal from the Tax Appeal Court to be filed within thirty days of entry of a final judgment.

Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that *Alford v. City and County of Honolulu*, 109 Hawai'i 14, 122 P.3d 809 (2005), created an issue regarding appellate jurisdiction over a dispositive order that is later merged into a final judgment if a notice of appeal is filed within thirty days of the judgment but not within thirty days of the earlier order. Due to this issue, your Committee believes that section 232-19, Hawaii Revised Statutes, is no longer consistent with the appeal procedures adopted by the Judiciary. This measure amends section 232-19, Hawaii Revised Statutes, to restore consistency.

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. 1806, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1806, 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. 3179 (Joint) Government Operations and Labor and Technology on H.B. No. 2696

The purpose and intent of this measure is to:

- (1) Establish a temporary Lahaina Recovery Oversight Commission (Commission) within the Department of Accounting and General Services to oversee and guide the recovery of Lahaina from the August 2023 Maui wildfires;
- (2) Require the commission, with the assistance of the Office of Enterprise Technology Services to establish a website to serve as a clearinghouse for information related to the Lahaina wildfire recovery and a forum for public input;
- (3) Require annual reports to the Legislature before the Regular Sessions of 2026, 2027, 2028, and 2030; and
- (4) Appropriate an unspecified amount of funds for the Commission.

Your Committees received testimony in support of this measure from one individual.

Your Committees received comments on this measure from the Office of the Governor, Department of Accounting and General Services, Lāhainā Strong, and Maui Chamber of Commerce.

Your Committees find that interagency coordination is necessary to efficiently and effectively oversee the recovery and rebuilding efforts in areas devastated by the August 2023 Maui wildfires. This measure will help decrease duplicative efforts by public agencies, while ensuring that recovery, remediation, and restoration activities consider the needs of all individuals involved.

Accordingly, your Committees have amended this measure by:

- (1) Amending the composition of the Commission by:
 - (A) Adding the following voting members:
 - (i) A member of the Senate who represents the senate district that includes Lahaina;

- (ii) A member of the House of Representatives who represents the house district that includes Lahaina; and
- (B) Requiring that one of the two members of the Maui County Council be from the West Maui district;
- (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 Committees note that an appropriation of approximately \$250,000 to \$300,000 would be necessary to implement the provisions of this measure.

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 H.B. No. 2696, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2696, 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.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Awa).

Labor and Technology: Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Lee).

SCRep. 3180 (Joint) Government Operations and Energy, Economic Development, and Tourism on H.B. No. 2738

The purpose and intent of this measure is to:

- (1) Authorize state agencies to:
 - (A) Prepare and submit a report assessing the feasibility of installing distributed energy resource systems at each state facility;
 - (B) Implement and install the distributed energy resource systems detailed in the reports no later than five years from the issue date of the reports; and
 - (C) Assign priority for the authorized energy efficiency measures to first responder facilities; and
- (2) Authorize applicable state agencies to assess the feasibility of developing resilience hubs that can provide emergency services and be open to the general public during times of emergency.

Your Committees received testimony in support of this measure from the Green Party of Hawai'i, Kauai Climate ACTION Coalition, Chamber of Sustainable Commerce, Greenpeace Hawaii, Hawaii Chapter of 350.org, Hawaii Solar Energy Association, Climate Protectors Hawai'i, and seventeen 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 on-site, distributed energy resources not only reduce greenhouse gas emissions and other pollutants associated with electricity generation and consumption, but also provide affordable and resilient power for Hawaii's energy system users. Your Committees note that the installation of these resources, such as rooftop solar and battery storage, at state facilities would not only result in cost-savings but also help the State meet its clean energy goals. Your Committees further note that on-site, distributed energy resources at first responder facilities are integral to ensuring that essential government services can continue to be provided despite disruptions to the electric grid. This measure will build the State's resilience towards the effects of climate change and enable it to prepare for emergencies where there are disruptions to the electric grid and port activity.

Your Committees have amended this measure by:

- (1) Requiring, rather than authorizing, state agencies to:
 - (A) Prepare and submit a report assessing the feasibility of installing distributed energy resource systems at each state facility;
 - (B) Implement and install the distributed energy resource systems detailed in the reports no later than five years from the issue date of the reports; and
 - (C) Assign priority for the authorized energy efficiency measures to first responder facilities;
- (2) Clarifying that the reports prepared by state agencies shall be submitted to the Legislature;
- (3) Requiring, rather than authorizing, applicable state agencies to assess the feasibility of developing resilience hubs that can provide emergency services and be open to the general public during times of emergency;
- (4) Amending references to "energy efficient measures" to "cost-effective energy efficient measures";
- (5) Defining "cost-effective energy efficient measures" to mean any energy efficiency measure where the cost of the energy efficiency measure is equal to or less than the estimated savings over a period of twenty years or the life of the installed components, whichever is less;
- (6) Deleting language that defines "first responder facilities" and inserting language that defines "first responder";
- (7) Amending section 1 to reflect its amended purpose;
- (8) Inserting an effective date of July 1, 2112, 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 Government Operations and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2738, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2738, 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.

Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Kim, Fevella).

SCRep. 3181 Health and Human Services on H.B. No. 2415

The purpose and intent of this measure is to:

- (1) Authorize the Governor to enter the State into the multistate Nurse Licensure Compact, which will allow a nurse who is licensed by a home state to practice under a multistate licensure privilege in each party state; and
- (2) Beginning January 1, 2026, authorize the State Board of Nursing to charge different fees customarily and historically charged for registered nurses and licensed practical nurses who hold a multistate license issued by the State.

Your Committee received testimony in support of this measure from the United States Department of Defense, Department of Labor and Industrial Relations, Department of Corrections and Rehabilitation, Disability and Communication Access Board, Hawai'i State Center for Nursing, Kaiser Permanente Hawai'i, Healthcare Association of Hawaii, Hawaii Association of Health Plans, The Queen's Health System, Hawai'i Affiliate of the American College of Nurse-Midwives, Hawai'i Primary Care Association, Hawai'i Pacific Health, Palolo Chinese Home, Liberty Dialysis-Hawaii, Hawai'i Public Health Institute, Grassroot Institute of Hawaii, Adventist Health Castle, Hawai'i Care Choices, Hawaii Medical Service Association, and five individuals.

Your Committee received testimony in opposition to this measure from Hawai'i Nurses and Health Practitioners; Stonewall Caucus of the Democratic Party of Hawai'i; Hawai'i Association of Professional Nurses; Pride at Work – Hawai'i; Hawai'i American Nurses Association; Hawaii Nurses Association, OPEIU Local 50; and one individual.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, University of Hawai'i System, Board of Nursing, and Hawaii Health Systems Corporation Corporate Board of Directors.

Your Committee finds that the State is experiencing an acute shortage of licensed medical professionals, including nurses. The multistate Nurse Licensure Compact allows nurses who are licensed by a home state to practice under a multistate licensing privilege in states that are a party to the compact. Presently, forty-one states have adopted the multistate Nurse Licensure Compact. By entering into the multistate Nurse Licensure Compact, the State can take proactive measures to increase access to the nursing workforce by allowing more nurses to practice in the State without the burden of obtaining an additional license while ensuring continuity of safe nursing care. Therefore, this measure authorizes the Governor to enter the State into the multistate Nurse Licensure Compact to provide additional support to address the State's shortage of qualified licensed nurses while protecting the health and safety of Hawai'i's people.

Your Committee notes that Senate Bill No. 2492, S.D. 1, Regular Session of 2024, is a substantially similar measure that authorizes the Governor to enter the State into the multistate Nurse Licensure Compact, allowing nurses who are licensed by a home state to practice under a multistate licensure privilege in each party state. Your Committee finds that the language in section 1 of Senate Bill No. 2492, S.D. 1 is preferable because it remains consistent with the formatting and language of the Nurse Licensure Compact approved by a special Delegate Assembly of the National Council of State Boards of Nursing and adopted by other party states.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the contents of section 1 and inserting the contents of section 1 of Senate Bill No. 2492, S.D. 1 (2024);
- (2) Requiring individuals that hold a multistate nurse license issued by a state other than Hawaii and are employed by any health care facility to complete any demographic data surveys required by the Board of Nursing as a condition of employment beginning July 1, 2026, and annually thereafter, rather than January 1, 2026, and annually thereafter;
- (3) Making section 1 take effect and become binding two years after this measure takes effect; 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. 2415, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2415, H.D. 2, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3182 Health and Human Services on H.B. No. 2435

The purpose and intent of this measure is to authorize the Director of Health to permit synchronous online access to apply for marriage and civil union licenses in lieu of in-person applications, as specified in rules adopted by the Department pursuant to chapter 91, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that the Department of Health issues approximately twenty thousand marriage licenses each year. Existing law requires an in-person appointment for the issuance of a license to marry; however, during the coronavirus disease 2019 pandemic, an emergency order temporarily authorized the issuance of marriage licenses online. With the rebounding economy and increased

number of weddings in the State, this measure reinstates the issuance of marriage licenses through online access to promote departmental efficiency and improve customer service.

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. 2435, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2435, 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 (Awa).

SCRep. 3183 Health and Human Services on H.B. No. 2453

The purpose and intent of this measure is to authorize the Director of Health to transfer federal capitalization grant funds between the Water Pollution Control Revolving Fund and the Drinking Water Treatment Revolving Loan Fund, in accordance with title 40 Code of Federal Regulations section 35.3530(c).

Your Committee received testimony in support of this measure from the Department of Health and Ulupono Initiative.

Your Committee finds that the Department of Health administers two low interest loan programs for the improvement of public drinking water systems and wastewater treatment and distribution systems. Both loan programs are funded principally by capitalization grants provided by the United States Environmental Protection Agency (EPA). Your Committee also finds that the EPA oversees the State's implementation of the Drinking Water Treatment Revolving Loan Fund and the Water Pollution Control Revolving Fund programs and can withhold or delay future capitalization grants whenever a program is struggling to expeditiously disburse their funds. This measure will allow the Department of Health to direct loan moneys more efficiently towards the drinking water or wastewater infrastructure needs across the State, resulting in the greatest benefit to public health or environmental protection and help ensure the continued and consistent award of these two annual capitalization grants from the EPA.

Your Committee notes the testimony of the Department of Health that, based on review and consultation with the Department of Attorney General and federal agencies, certain amendments to this measure are necessary for consistency with title 40 Code of Federal Regulations section 35.3530(c)(1).

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the Governor or a state official with prior authorization from the Governor, rather than the Director of Health, may transfer an amount up to or equal to thirty-three percent, calculated on the basis of a fiscal year's Drinking Water Treatment Revolving Loan Fund capitalization grant amount from the Drinking Water Treatment Revolving Loan Fund;
- (2) Clarifying that when the State initially decides to transfer funds from the Drinking Water Treatment Revolving Loan Fund, rather than each year:
 - (A) The Attorney General, or an individual designated by the Attorney General, shall sign or concur in a certification for the Drinking Water Treatment Revolving Loan Fund and Water Pollution Control Revolving Fund that state law permits the State to transfer funds; and
 - (B) The operating agreements or other parts of the capitalization grant agreements for the Drinking Water Treatment Revolving Loan Fund and the Water Pollution Control Revolving Fund shall be amended to detail the method the State shall use to transfer funds;
- (3) Clarifying that the Governor or a state official with prior authorization from the Governor, rather than the Director of Health, may transfer an amount up to or equal to thirty-three percent, calculated on the basis of a fiscal year's Drinking Water Treatment Revolving Loan Fund capitalization grant amount from the Water Pollution Control Revolving Fund;
- (4) Clarifying that when the State initially decides to transfer funds from the Water Pollution Control Revolving Fund, rather than each year:
 - (A) The Attorney General, or an individual designated by the Attorney General, shall sign or concur in a certification for the Drinking Water Treatment Revolving Loan Fund and Water Pollution Control Revolving Fund that state law permits the State to transfer funds; and
 - (B) The operating agreements or other parts of the capitalization grant agreements for the Drinking Water Treatment Revolving Loan Fund and the Water Pollution Control Revolving Fund shall be amended to detail the method the State shall use to transfer funds;
- (5) Providing that the thirty-three percent transfer allowance is associated with the Drinking Water Treatment Revolving Loan Fund, rather than the Water Pollution Control Revolving Fund;
- (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 this measure contains an unspecified appropriation amount. Should your Committees on Ways and Means and Judiciary choose to deliberate on this measure, your Committee respectfully requests that they consider inserting an

appropriation amount of \$1,500,000 for fiscal year 2024-2025, pursuant to testimony your Committee received from the Department of Health.

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. 2453, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2453, 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 (Awa).

SCRep. 3184 (Joint) Higher Education and Labor and Technology on H.B. No. 2501

The purpose and intent of this measure is to repeal the reporting requirement to identify the cost impacts to the State of providing workers' compensation coverage for University of Hawaii students.

Your Committees received testimony in support of this measure from the University of Hawai'i System.

Your Committees find that the University of Hawaii has a statutory mandate to report on workers' compensation claims made by student employees. However, the University of Hawaii has not had a workers' compensation claim to report since the 2014-2016 fiscal biennium, creating an administrative burden that is inefficient. Therefore, this measure promotes operational efficiency to streamline existing university resources and procedures.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Higher Education and Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2501, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2501, 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).
Labor and Technology: Ayes, 5. Noes, none. Excused, none.

SCRep. 3185 Health and Human Services on H.B. No. 2454

The purpose and intent of this measure is to make an emergency appropriation to the Department of Health for emergency asbestos remediation at Kinau Hale, where the Department's main offices are located; temporary relocation of the main offices, if necessary; and preliminary planning for redevelopment of the site.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that the Department of Health's main offices at Kinau Hale is in a dilapidated condition that contributes to increasingly frequent disturbances of asbestos in the ceiling and floor in the building since November 2023. Although multiple ambient air testing results confirm that the air in the building is currently safe, any major incident, such as heavy rains, may cause massive roof leaks, significantly elevating risks of exposure to asbestos. Your Committee additionally finds that there will be a need for lease and moving expenses if the Department must relocate staff and equipment due to asbestos disturbance or other catastrophic building failure requiring immediate evacuation. Your Committee further finds that Kinau Hale is over sixty years old, and therefore, the emergency appropriation sought in this measure includes funds to begin preliminary planning for redevelopment of the parcel on which Kinau Hale is built. This measure will ensure the health and safety of employees of the Department of Health and other individuals who visit the Department's main offices.

Your Committee notes that although this measure contains an unspecified appropriation amount, the Department of Health's testimony requests an appropriation of \$1,500,000, of which \$500,000 is needed immediately to conduct necessary safety repairs identified by the Department of Accounting and General Services. The remaining \$1,000,000 is included in the Department of Health's \$5,000,000 budget request. Accordingly, if the Department of Health's budget request is accepted, the amount of emergency appropriation pursuant this measure will be \$500,000.

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 H.B. No. 2454, 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 (Awa).

SCRep. 3186 (Joint) Agriculture and Environment and Health and Human Services on H.B. No. 1989

The purpose and intent of this measure is to:

- (1) Authorize and decriminalize the sale of raw milk, raw milk products, and raw milk dairy products directly from producers to consumers for human consumption, subject to certain restrictions; and
- (2) Authorize the direct sale of raw goat milk for pet consumption.

Your Committees received testimony in support of this measure from the Westin A. Price Foundation, Pet Stop, LLC; Coleman Scientific Consulting; and thirty-one individuals.

Your Committees received testimony in opposition to this measure from the Department of Agriculture, Department of Health, Hawai'i Farm Bureau, and one individual.

Your Committees find that raw milk is milk that has not undergone the process of pasteurization, which is the process by which milk is mildly heated to destroy pathogens. Your Committees further find that although there is a consumer demand for raw milk due to its health benefits and taste, the sale of raw milk in any form, including raw goat milk for pet consumption, is currently prohibited in the State. Your Committees recognize that raw milk can be produced safely and its sale is permitted in many other states. This measure expands opportunities for producers and consumers of fresh, unpasteurized milk in the State.

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 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. 1989, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1989, H.D. 2, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4; Ayes with Reservations (Richards). Noes, none. Excused, 1 (Rhoads).

Health and Human Services: Ayes, 5. Noes, none. Excused, none.

SCRep. 3187 (Joint) Housing and Health and Human Services on H.B. No. 2662

The purpose and intent of this measure is to:

- (1) Require and appropriate funds for the Hawaii Public Housing Authority to establish a two-year Recreation and Education Upward Mobility Pilot Program for youth tenants in public housing; and
- (2) Permit the Hawaii Public Housing Authority to contract with outside parties to implement the pilot program.

Your Committees received testimony in support of this measure from the Hawaii Public Housing Authority.

Your Committees find that the State has the highest cost of living in the nation and has not provided sufficient resources to prepare students with the financial education needed to tackle the real world. Your Committees further find that twenty-five states have already passed legislation to make financial literacy courses a high school graduation requirement. Furthermore, the promotion of sports and physical activity has been shown to improve youth's social emotional, and mental health. Therefore, this measure will more adequately prepare youth tenants for the future by providing important financial education and work skills, in addition to realizing the positive benefits of sports, to help improve the state's communities as a whole.

Your Committees have amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

Your Committees note the testimony given by the Hawaii Public Housing Authority regarding an estimated cost of \$500,000 to begin the pilot program. Your Committees respectfully request future committees consider this figure as this measure moves through the legislative process.

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. 2662, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2662, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 5. Noes, none. Excused, none.

Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Shimabukuro).

SCRep. 3188 Judiciary on H.B. No. 2340

The purpose and intent of this measure is to appropriate moneys and approve payments for claims against the State, its officers, and its employees.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Transportation, Department of Corrections and Rehabilitation, Department of Education, and one individual.

Your Committee finds that the State has a responsibility to promptly satisfy all claims against the State upon the resolution of those claims. Your Committee further finds that the timely passage of this measure will help to minimize the State's obligation to pay interest on the various payment amounts.

Your Committee has amended this measure by:

- (1) Appropriating \$110.00 in general funds for a miscellaneous claim by Lien T. Nguyen;
- (2) Appropriating \$1,236.00 in general funds for a miscellaneous claim by Sedring Bulda and Katherine Bulda;
- (3) Appropriating \$7,259.00 in general funds for a miscellaneous claim by Shirokiya Cosmetics, Inc.;
- (4) Appropriating \$550,000.00 in general funds for the settlement in the case of Ralphielyn L.M. Gaston-Lovell v. State of Hawaii, Department of Education;

- (5) Amending the payment requirements for the settlement in the case of Courtney Ledford v. Ethan Ferguson, et al., by:
- (A) Changing the amount appropriated to the Department of the Attorney General for the settlement of the claim from \$1,250,000.00 to \$750,000.00; and
 - (B) Requiring that the remaining \$500,000.00 of the claim settlement be equally apportioned and paid from the available general funds appropriated by Act 164, Session Laws of Hawaii 2023, to the Department of Human Resources Development and Department of Land and Natural Resources;
- (6) Appropriating \$300,000.00 in general funds for the settlement in the case of Pamela Ann Flanagan (Personal Representative) v. State of Hawaii;
- (7) Amending the payment requirements for the settlement in the case of Leinette Reyes, et al. v. Eric Tanaka, by:
- (A) Changing the amount appropriated to the Department of the Attorney General for the settlement of the claim from \$2,000,000.00 to \$1,200,000.00; and
 - (B) Requiring that the remaining \$800,000.00 of the claim settlement be paid from the available general funds appropriated by Act 164, Session Laws of Hawaii 2023, to the Department of Public Safety/Corrections and Rehabilitation;
- (8) Appropriating \$750,000.00 in general funds for the settlement in the case of Sherri-Ann Garrett v. State of Hawaii, Department of Human Services;
- (9) Appropriating \$150,000.00 out of the state highway fund for the settlement in the case of Violet Fontes-Ringor v. State of Hawaii;
- (10) Changing the effective date to July 1, 2024; 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2340, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2340, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3189 (Joint) Health and Human Services and Public Safety and Intergovernmental and Military Affairs on H.B. No. 2451

The purpose and intent of this measure is to:

- (1) Authorize examination of defendants via telehealth;
- (2) Amend conditions for certain petty misdemeanor's release or examination of fitness to proceed;
- (3) Provide a mechanism for the automatic screening of certain nonviolent defendants for involuntary hospitalization or assisted community treatment; and
- (4) Appropriate funds.

Your Committees received testimony in support of this measure from the Office of the Public Defender, Judiciary, Disability and Communication Access Board, State Council of Mental Health, Adult Mental Health Division of the Department of Health, Hawai'i Psychological Association, and Hawaii Substance Abuse Coalition.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees received comments on this measure from the Hawaii Disability Rights Center.

Your Committees find that timely and thorough court-ordered examinations are necessary and vital for both the individual and for cases to move forward in the criminal justice system. Additionally, your Committees find that unexpected circumstances beyond the court's, examiner's, or facility's control, may hamper the ability of the examiner to conduct the examination in person. By allowing court-ordered examinations to be conducted via telehealth, this measure will maximize time and efficiency and minimize travel costs, thereby reducing expenses for the State.

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. 2451, H.D. 3, 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.
Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Aquino).
Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 3190 (Joint) Health and Human Services and Public Safety and Intergovernmental and Military Affairs on H.B. No. 1831

The purpose and intent of this measure is to:

- (1) Establish the Behavioral Health Crisis Center Pilot Program;

- (2) Authorize the Department of Health to establish or contract with behavioral health crisis centers in each county;
- (3) Require the Adult Mental Health Division of the Department of Health to submit reports on the pilot program to the Legislature; and
- (4) Appropriate funds for the pilot program.

Your Committees received testimony in support of this measure from the Adult Mental Health Division of the Department of Health, Office of the Public Defender, Office of Hawaiian Affairs, the Judiciary, Disability and Communication Access Board, State Council on Mental Health, County of Hawai'i Office of Housing and Community Development, Community Alliance on Prisons, Hawaii Disability Rights Center, Hawaii Substance Abuse Coalition, The Queen's Health System, Mental Health America of Hawai'i, Hawaii Medical Association, AlohaCare, Opportunity Youth Action Hawai'i, Hawai'i Health & Harm Reduction Center, ACLU of Hawai'i, Reimagining Public Safety in Hawai'i Coalition, Hawai'i Psychological Association, and four individuals.

Your Committees find that access to, and the provision of, mental health care and services is integral to diverting those individuals who, but for their mental health crisis, would not be involved with the criminal justice system. Your Committees further find that these individuals are best served through crisis intervention and treatment rather than the judicial system or repeated hospitalization, both of which are costly and only a temporary remedy. This measure alleviates the burden on both the criminal justice system and hospitals by diverting those who suffer from substance abuse issues or mental illnesses to behavioral health crisis centers, where they can receive treatment and be redirected to appropriate health care systems and services.

Your Committees note that it is intended that this measure provide assistance to various individuals experiencing a mental health or substance use disorder crisis, and the individuals need not be suicidal to receive services offered by the Behavioral Health Crisis Center Pilot Program established by this measure.

Your Committees have amended this measure by:

- (1) Clarifying that the pilot program shall establish two behavioral health crisis centers, one to be located in Honolulu, and the other to be located on Oahu or on a neighbor island, as determined by the Department of Health;
- (2) Inserting language that amends section 334-59, Hawaii Revised Statutes, relating to emergency examination and hospitalization of individuals deemed by a law enforcement officer to be imminently dangerous to self or others, to allow for transport or release of the individual to a facility designated by the director other than a licensed psychiatric facility;
- (3) Making it effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that although this measure contains an unspecified appropriation amount, the Department of Health requests the following funds, which are included in House Bill No. 1800, Regular Session of 2024, relating to the State Budget:

- (1) \$6,700,000 for a Behavioral Health Crisis Center in Iwilei; and
- (2) \$3,000,000 for a Behavioral Health Crisis Center on a neighbor island.

Therefore, should your Committees on Ways and Means and Judiciary choose to deliberate on this measure, your Committees respectfully request that they consider inserting these appropriation amounts for the establishment of the Behavioral Health Crisis Centers for fiscal year 2024-2025.

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. 1831, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1831, H.D. 1, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Aquino).

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 3191 (Joint/Majority) Housing and Agriculture and Environment on H.B. No. 2358

The purpose and intent of this measure is to exempt certain affordable housing projects from environmental impact statement requirements.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands; County of Hawai'i Office of Housing and Community Development; one member of the Maui County Council; Affordable Housing Connections LLC; Stanford Carr Development, LLC; NAIOP Hawaii; and Building Industry Association-Hawaii.

Your Committees received testimony in opposition to this measure from Livable Hawaii Kai Hui, Pele Lani Farm LLC, Sierra Club of Hawai'i, Kauai Climate Action Coalition, Hawaii's Thousand Friends, Free Access Coalition, Sierra Club, and one hundred twenty-five individuals.

Your Committees received comments on this measure from the Office of Planning and Sustainable Development and Department of the Attorney General.

Your Committees find that the State is currently undergoing a housing shortage. Your Committees also find that significant delays in the regulatory processes of constructing urgently needed housing exasperate this issue. Therefore, this measure will bypass certain aspects of the regulatory process to speed up the production of housing within the State.

Your Committees have amended this measure by:

- (1) Deleting language that would have established the provisions of this measure “notwithstanding any provision of chapter 343, Hawaii Revised Statutes, to the contrary”;
- (2) Specifying that certain affordable housing projects shall be considered as a general type of action eligible for exemption pursuant to sections 11-200-1 through 11-200-15, Hawaii Administrative Rules;
- (3) Amending the definition of “affordable housing project”; 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 Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2358, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2358, 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.

Agriculture and Environment: Ayes, 3; Ayes with Reservations (Rhoads). Noes, 1 (Awa). Excused, 1 (DeCoite).

SCRep. 3192 (Joint) Judiciary and Labor and Technology on H.B. No. 1917

The purpose and intent of this measure is to appropriate funds for collective bargaining cost items for Judiciary employees and their excluded counterparts.

Your Committees received testimony in support of this measure from the Judiciary and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committees find that in January 2020, the United States Secretary of Health and Human Services declared the coronavirus disease 2019 (COVID-19) pandemic a public health emergency. Following the declaration, on March 4, 2020, Governor David Ige issued the first of several emergency proclamations pertaining to the COVID-19 pandemic for the State, with the last of those proclamations expiring on March 25, 2022. Unions representing public employees in the State have been pursuing claims for temporary hazard pay for work performed by government employees during the COVID-19 pandemic pursuant to the hazard pay provisions of the respective collective bargaining agreements. This measure will allow the Judiciary to secure necessary funding to fulfill its obligation to union members pursuing claims for temporary hazard pay for work performed during the COVID-19 pandemic.

Your Committees have amended this measure by inserting an effective date of April 14, 2112, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Judiciary and Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1917, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1917, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

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

Labor and Technology: Ayes, 3. Noes, none. Excused, 2 (Ihara, Lee).

SCRep. 3193 Health and Human Services on H.B. No. 2426

The purpose and intent of this measure is to clarify when a relative seeking to be a resource caregiver for a child is entitled to an administrative appeal for denial of a foster home license.

Your Committee received testimony in support of this measure from the Department of Human Services and Department of the Attorney General.

Your Committee received comments on this measure from the Hawaii Coalition for Child Protective Reform and one individual.

Your Committee finds that authority given to the Department of Human Services to determine whether an individual is eligible to become a resource family to provide foster placement for a child is distinct and separate from the exclusive jurisdiction given to family courts to determine where to actually place the child. Your Committee also finds that when a child’s relative applies to become the child’s resource family, if the application is denied by the Department of Human Services, the relative’s ability to contest the denial through an administrative appeals process under existing law is unclear as to when the process can be utilized. Therefore, this measure clarifies that an applicant whose application is denied may utilize the administrative appeals process to contest the decision if the denial was based on the applicant’s failure to meet standards set forth by the Department of Human Services in its rules, and if the basis of the denial is that the child was not placed with the applicant, the applicant’s recourse is to seek judicial review by the family court.

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. 2426, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2426, 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. 3194 Health and Human Services on H.B. No. 1941

The purpose and intent of this measure is to make an emergency appropriation from the Mental Health and Substance Abuse Special Fund to the Department of Health to implement quality improvement recommendations at the Hawaii State Hospital.

Your Committee received testimony in support of this measure from the Adult Mental Health Division of the Department of Health, State Council on Mental Health, Disability and Communication Access Board, and Hawaii Disability Rights Center.

Your Committee finds that the urgency of this measure's appropriation request stems from the potential risks to safety and security at the Hawaii State Hospital, which could adversely affect both patients and staff if not promptly addressed. Your Committee further finds that the proposed funds would be utilized to secure positions, contact services, repair and purchase safety related equipment, and relocate and repair the guard shack to enhance safety measures and maintain a secure environment on the hospital campus. This measure provides vital funding to ensure the health and safety of the employees, patients, and visitors at the Hawaii State Hospital.

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.

Your Committee notes that Governor's Message No. 5, which proposes changes to the Executive Supplemental Budget for fiscal year 2024-2025, includes a request for \$14,000,000 to implement the quality improvement recommendations at the Hawaii State Hospital set forth in this measure. Accordingly, if the proposed changes to the Executive Supplemental Budget in Governor's Message No. 5 is accepted, the emergency appropriation pursuant to this measure will no longer be necessary.

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. 1941, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1941, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3195 Labor and Technology on H.B. No. 1639

The purpose and intent of this measure is to:

- (1) Effective January 1, 2025, increase the Hawaii Employer-Union Health Benefits Trust Fund employer base composite monthly contribution by 5.2 percent; and
- (2) Effective January 1, 2026, provide that the Hawaii Employer-Union Health Benefits Trust Fund employer base composite monthly contribution will be based on the change in Medicare Part B premiums from 2024 to 2025 and at a two-year lag thereafter.

Your Committee received testimony in support of this measure from the Hawaii Employer-Union Health Benefits Trust Fund.

Your Committee finds that the State's and counties' contribution to retiree health care benefits as an employer is based on a percentage of the Base Composite Monthly Contribution (BMC). The BMC changes each calendar year based on the change in Medicare Part B Premiums, which is a measure of national health care inflation. Your Committee further finds that in some years, the publication of the next year's Medicare Part B premium occurs in early November, while the Hawaii Employer-Union Health Benefits Trust Fund's retiree open enrollment period occurs during the last two weeks of October. As a result, in some years, retirees may need to determine whether to enroll in the program without knowing the amount of their employer's contribution. This measure will correct this problem by requiring the employer contribution amounts to be calculated based on the Medicare Part B premium publications from the previous two years and creating a lag between the BMC changes and the open enrollment period.

Your Committee has amended this measure by inserting an effective date of July 1, 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. 1639, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1639, 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. 3196 Labor and Technology on H.B. No. 1642

The purpose and intent of this measure is to allow an employee or the exclusive representative, if applicable, to file a complaint with the Hawaii Labor Relations Board if the employer fails to comply with section 78-64, Hawaii Revised Statutes, relating to general employee orientation.

Your Committee received testimony in support of this measure from the Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee finds that under existing law, an employer is required to provide newly hired employees with a general orientation on their benefits and rights; however, not all employers comply with this law. Your Committee also finds that the current compliant process for an employer's violation of this requirement is unclear, making it difficult for employees to file a complaint. Therefore, this measure will ensure that any newly hired employees are not denied this important information and employers are held responsible for not complying with this statutory requirement.

Your Committee has amended this measure by inserting an effective date of July 1, 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. 1642, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1642, 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. 3197 Labor and Technology on H.B. No. 2235

The purpose and intent of this measure is to:

- (1) Reclassify or repeal certain non-general funds of the Department of Labor and Industrial Relations, pursuant to the recommendations made by the Auditor in Auditor's Report No. 23-06, and to transfer any unencumbered balance of any repealed fund to the general fund; and
- (2) Exempt the Boiler and Elevator Special Fund from central services expenses.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations.

Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that Section 23-12, Hawaii Revised Statutes, requires the Auditor to review all existing special, revolving, and trust funds, once every five years. Based on this review, the Auditor identified multiple non-general funds of the Department of Labor and Industrial Relations that are recommended to be repealed or reclassified. Therefore, this measure adopts the Auditor's recommendation and reclassifies or repeals those funds.

Your Committee has amended this measure by inserting an effective date of July 1, 2050.

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. 2235, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2235, 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. 3198 (Joint) Labor and Technology and Health and Human Services on H.B. No. 2552

The purpose and intent of this measure is to:

- (1) Extend, under certain conditions, the family leave period under state law for up to eight additional 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) Require the Civil Rights Commission to amend its administrative rules to include neonatal care as a related medical condition wherever the phrase "pregnancy, childbirth, or related medical condition" or any similar phrase is used.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations, Disability and Communication Access Board, Department of Human Services, Hawaii State Teachers Association, Hawai'i Children's Action Network Speaks!, Hawai'i Civil Rights Commission, Breastfeeding Hawaii, Save Medicaid Hawaii, and four individuals.

Your Committees find that one in ten babies in Hawaii are born preterm, requiring them to spend weeks or months in neonatal intensive care units (NICU). This, in turn, requires the babies' parents to also spend weeks or months at the NICU in support of their babies' care, making it nearly impossible for many to maintain full-time employment. Added to this time, expense, and stress, parents caring for their NICU child may not necessarily qualify for financial assistance through temporary disability insurance or protection from job loss under the federal Family and Medical Leave Act. Therefore, this measure provides additional support to employees who may otherwise find themselves faced with the untenable choice between preserving their employment and supporting the health of their newborn child.

Your Committees note the concern raised in the testimony of the Hawaii Civil Rights Commission that amending its administrative rules to include neonatal care is misplaced without an amendment to chapter 378, Hawaii Revised Statutes, the Commission's enabling statute. Therefore, it is necessary to amend this measure to address this concern.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language that amends the definition of "because of sex" under chapter 378-1, Hawaii Revised Statute, that governs discriminatory employment practices, to include neonatal care;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of July 1, 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 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. 2552, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2552, 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.
 Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Fevella).
 Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3199 (Joint) Health and Human Services and Public Safety and Intergovernmental and Military Affairs on H.B. No. 1836

The purpose and intent of this measure is to allow registered pharmacists, during a declared state of emergency, to refill prescriptions for up to thirty-days if the practitioner is unavailable or cannot be contacted to authorize the refill and if in the pharmacist's professional judgment, failure to refill the prescription may interrupt the patients' ongoing care and have a significant adverse effect on the patient's well-being.

Your Committees received testimony in support of this measure from the Board of Pharmacy, Disability and Communication Access Board, Healthcare Association of Hawaii, Hawai'i Primary Care Association, American Cancer Society Action Network, University of Hawai'i System, Hawaii Medical Association, and Walgreen Co.

Your Committees received comments on this measure from the Hawaii Medical Service Association.

Your Committees find that during a state of emergency, patients may be unable to reach their practitioner for refills of certain medications required for continuity of care. Your Committees also find that abrupt cessation or unplanned interruption of medication may lead to undesirable outcomes, especially for patients with chronic conditions. This measure will ensure that medications for patients are dispensed in a timely manner during a state of emergency by allowing registered pharmacists to refill prescriptions under certain conditions.

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, consistency, and style.

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. 1836, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1836, H.D. 2, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chairs on behalf of the Committees.
 Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Aquino).
 Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 3200 Health and Human Services on H.B. No. 1834

The purpose and intent of this measure is to appropriate funds to increase the base budget of the Department of Human Services' Homeless Programs Office.

Your Committee received testimony in support of this measure from the Department of Human Services; Governor's Coordinator on Homelessness; Department of Land and Natural Resources; Office of Hawaiian Affairs; County of Hawai'i Office of Housing and Community Development; The Institute for Human Services, Inc.; Catholic Charities Hawai'i; Hawai'i True Cost Coalition; Steadfast Housing Development Corporation; Hawai'i Appleseed Center for Law and Economic Justice; Aloha United Way, Inc.; Hawai'i Youth Services Network; Hope Services Hawaii, Inc.; Hawai'i Health & Harm Reduction Center; Partners In Care; Parents And Children Together; and two individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Department of Human Services' last major increase in funding for core components of its homeless services system was in 2016. Your Committee further finds that since 2016, operating costs for service providers as well as the number of people experiencing homelessness have increased dramatically. This measure provides the necessary increase in resources to the Department of Human Services to meet the increased operating costs to provide homeless services for the growing homeless population that require these services.

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.

Your Committee notes that although this measure, as amended, contains an unspecified appropriation amount, the Department of Human Services' testimony requests an appropriation amount of \$1,320,000 to be included in the Executive Budget, which is an increase of five percent over the current state funding of \$26,425,616, for homeless services contracts. Your Committee further notes that, according to additional testimony received by your Committee, this amount is significantly lower than what would adequately reflect the increase in operating costs for providers over the past nine years, which would be \$5,285,123, a twenty percent increase. Accordingly, should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider an appropriate amount to be inserted.

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. 1834, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1834, 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. 3201 Health and Human Services on H.B. No. 2215

The purpose and intent of this measure is to:

- (1) Appropriate funds to increase the funding of certain Medicaid home and community-based services, including adult day programs and residential services offered in community care foster family homes and expanded adult residential care homes; and
- (2) Require the Department of Human Services to obtain matching funds.

Your Committee received testimony in support of this measure from the Department of Human Services; Disability and Communication Access Board; AARP Hawai'i; International Longshore & Warehouse Union Local 1000; Home Healthcare Operators, Hawai'i; Sebastian's ARCH LLC; Adult Foster Homecare Association of Hawaii; United Community Healthcare of Hawaii; Community Homecare Association of Hawaii; Alliance of Professional Primary Care Administrators; Alliance of Residential Care Administrators; The Primary Care Providers of Hawaii, Inc.; Community Care Foster Family Home; CMC Kafamilya Adult Foster Home; Adult Foster Homecare Association of Hawaii--Big Island Chapter; and thirty-three individuals.

Your Committee received comments on this measure from one individual.

Your Committee finds that maintaining a connection with family and friends and the ability to continue to visit familiar health care providers is much easier when the State's kupuna can be cared for close to their homes, resulting in a strong demand for community-based care options for the State's kupuna. Your Committee further finds that Medicaid home and community-based service providers face significant wage pressures for registered nurses and certified nursing assistants and are competing with facilities, which are reimbursed at higher rates by Medicaid, and private pay services for the same labor force. This measure increases reimbursement rates for home and community-based services to fairly compensate, retain, and attract home and community-based service providers so they can continue to provide the high-quality care for the State's vulnerable populations that reside in home and community-based settings.

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.

Your Committee notes that this measure, as amended, contains an appropriation for an unspecified amount. Your Committee further notes the Department of Human Services' request in the Executive Budget for \$5,750,000 would accomplish the same goals as this measure, and that the Department would prefer that the appropriation be included in the Executive Budget measure, as opposed to 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 H.B. No. 2215, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2215, 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. 3202 Health and Human Services on H.B. No. 2425

The purpose and intent of this measure is to:

- (1) Clarify that a confirmed report of child abuse or neglect, harm, or threatened harm will result in the perpetrator's name being maintained in the central registry; and
- (2) Clarify when a person's name may be expunged from the central registry and establish a process for expungement upon request.

Your Committee received testimony in support of this measure from the Department of the Attorney General and Department of Human Services.

Your Committee received comments on this measure from the Hawaii Coalition for Child Protective Reform.

Your Committee finds that, the current central registry of individuals confirmed to be perpetrators of child abuse or neglect retains listings of individuals indefinitely in the majority of cases. Being listed on the central registry can have serious consequences, including being barred from employment, volunteer opportunities, and adoption. Presently, the Department of Human Services utilizes a written Notice of Disposition that informs the individual identified as a potential perpetrator, upon completion of assessment of allegations of child abuse or neglect, that the allegation was confirmed or unconfirmed. Additional information is included if allegations are confirmed regarding placement on the central registry and the individual's right to challenge the results. However, the process to be placed on the registry and how that addition to the registry can be challenged are not commonly understood. Therefore, this measure clarifies the process of being placed on, and having one's name expunged from, the central registry to ensure departmental efficiency while protecting Hawai'i's keiki.

Your Committee has amended this measure by:

- (1) Inserting a definition for the term "aggravated circumstances";
- (2) Inserting an effective date of July 1, 2025; 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. 2425, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2425, 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. 3203 Health and Human Services on H.B. No. 2712

The purpose and intent of this measure is to:

- (1) Appropriate funds to increase the funding for applied behavioral analysis services for persons with autism; and
- (2) Require the Department of Human Services to obtain maximum federal matching funds and pursue all other funding sources.

Your Committee received testimony in support of this measure from the Department of Human Services; Disability and Communication Access Board; BAYADA Behavioral Health; Mau Loa Learning; Hawaii Disability Rights Center; Behavior Analysis No Ka Oi, Inc.; Easterseals Hawaii; ABC Group Hawaii; Behavioral and Therapeutic Services of Hawaii; Council of Autism Service Providers; Special Education Advisory Council; Hawai'i Association for Behavior Analysis; Maui Learning Academy; Hawaii Early Intervention Coordinating Council; Early Learning Board; Horizons Academy of Maui; Hawai'i Psychological Association; and thirty-nine individuals.

Your Committee finds that applied behavioral analysis services are a clinically effective treatment for many children diagnosed with autism. However, rate increases for Med-QUEST have not increased since 2015 despite growing operating costs for businesses and difficulty with recruitment and retention of qualified staff. Without critical funding, certain operators maintain waitlists for patients, delaying timely access to care. Therefore, this measure will ensure the accessibility of applied behavioral analysis services to children diagnosed with autism while providing fair compensation for providers and their expertise.

Your Committee notes that although this measure contains an unspecified appropriation amount, the testimony of the Department of Human Services proposes three different scenarios as provided in a rate study commissioned by its Med-QUEST Division and submitted to the Legislature in December 2023. Based on the estimated managed care payment impacts using different wage assumptions:

- (1) The low impact scenario would require a funding of \$6,500,000, comprised of \$2,690,000 state funds and \$3,810,000 federal funds;
- (2) The medium scenario would require a funding of \$7,800,000, comprised of \$3,230,000 state funds and \$4,570,000 federal funds; and
- (3) The high scenario would require a funding of \$9,400,000, comprised of \$3,900,000 state funds and \$5,500,000 federal funds.

Accordingly, should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider an appropriate amount to be inserted.

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. 2712, 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 (Awa).

SCRep. 3204 Health and Human Services on H.B. No. 1533

The purpose and intent of this measure is to increase the amount of death benefits paid by the Department of Human Services to cover the cremation and disposition costs for a deceased person who was eligible for medical or financial assistance at the time of the person's death and whose body is unclaimed.

Your Committee received testimony in support of this measure from the Hawaii Funeral & Cemetery Association, Inc.; Mililani Group, Inc.; International Longshore & Warehouse Union Local 1000; Sebastian's ARCH LLC; and one individual.

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

Your Committee finds that the State's mortuaries and crematories handle the cremation, transportation, storage, and final disposition of unclaimed bodies on behalf of the State, but for decades have been reimbursed only \$800 to cover the cost of these services. Your Committee further finds that the costs of fuel, labor, and materials continue to increase, and that many businesses in the industry are struggling to cover costs above the State's reimbursement level and have even opted out of taking in unclaimed remains. This measure increases the amount of death benefits paid by the Department of Human Services to more sufficiently cover the cremation and disposition costs for unclaimed bodies that financially burden mortuaries and crematories in the State.

Your Committee notes the testimony of the Department of Human Services that the current allocated amount for death benefits to cover the cremation and disposition costs for unclaimed bodies is \$800, and that in fiscal year 2022-2023, the Department paid a total amount of \$277,600 for this type of death benefit. If death benefits are increased to \$1,600, the Department of Human Services will need an additional \$277,600 general fund appropriation. Your Committee further notes the Department of Human Services' request that any appropriation be included in the Executive Budget as a recurring expense, rather than a one-time appropriation through 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 H.B. No. 1533, 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. 3205 Health and Human Services on H.B. No. 1772

The purpose and intent of this measure is to appropriate funds to support the Department of Health's Senior Fall Prevention Campaign.

Your Committee received testimony in support of this measure from the Executive Office on Aging, Office of Hawaiian Affairs, Disability and Communication Access Board, AARP Hawai'i, Alzheimer's Association-Aloha Chapter, Catholic Charities Hawai'i, Hawaii State Teachers Association-Retired, and three individuals.

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

Your Committee finds that fall related injuries disproportionately impact the State's elderly population, often resulting in a long-term disability. Your Committee further finds that this impacts their quality of life and puts a strain on the State's medical system, rehabilitation system, and family caregivers. This measure appropriates funds to the Department of Health's successful Senior Fall Prevention Program to reduce the incidence of preventable falls and safeguard the health and safety of the State's seniors.

Your Committee notes that this measure contains an appropriation for an unspecified amount. Your Committee further notes that this measure, as introduced, contained an appropriation amount of \$100,000. Accordingly, should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider inserting this original 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 H.B. No. 1772, 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. 3206 Health and Human Services on H.B. No. 1974

The purpose and intent of this measure is to:

- (1) Increase the monthly needs allowance from \$50 to \$75 for individuals residing in adult residential care homes, domiciliary homes, adult foster homes, and other long-term care facilities;
- (2) Clarify that the needs allowance is not intended to replace or affect funds received from the federal Supplemental Security Income Program;
- (3) Require certain long-term care facility operators to pay for generic toiletries, linens, and meals and snacks;
- (4) Clarify the individuals who are eligible to receive the needs allowance; and
- (5) Require the Department of Human Services to perform an annual review of the needs allowance and report to the Legislature.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Department of Human Services, Disability and Communication Access Board, Executive Office on Aging, AARP Hawai'i, The Arc in Hawaii, Full Life, and fifteen individuals.

Your Committee finds that the State provides a personal needs allowance for individuals residing in adult residential care homes, domiciliary homes, adult foster homes, and other long-term care facilities, which allows recipients to purchase necessary items, such as clothing, toiletries, and meals, and covers other day-to-day living expenses. Your Committee further finds that despite the significant increase in the cost of living in Hawaii, allowance has not been increased since 2007, when the Legislature increased the monthly amount from \$30 to \$50. This measure increases the personal needs allowance for individuals in long-term care homes, allowing them more autonomy and dignity, and the ability to participate in their communities.

Your Committee has amended this measure by:

- (1) Deleting language that would have required the Department of Human Services to perform an annual review of the monthly needs allowance and submit a report to the Legislature;
- (2) Inserting an effective date of October 1, 2024; and
- (3) Amending section 1 to reflect its amended purpose.

Your Committee notes the testimony of the Department of Human Services that if their program budget is not reduced in H.B. No. 1800, H.D. 1, Regular Session of 2024, the Department's current program budget appropriation will be sufficient to cover the needs allowance increase of \$25, and that the Department will not need a general fund appropriation to accommodate the needs allowance increase proposed in 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 H.B. No. 1974, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1974, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3207 Health and Human Services on H.B. No. 1964

The purpose and intent of this measure is to:

- (1) Require the Department of Human Services to establish and implement a Child Care Provider Subsidy and Bonus Program to provide subsidies to retain the existing child care workforce in licensed infant and toddler child care centers, group child care centers, and group child care homes and bonuses to registered family child care homes;
- (2) Require annual reports to the Legislature; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the University of Hawai'i College of Education; Executive Office on Early Learning; Early Learning Board; Office of Hawaiian Affairs; County of Hawai'i Department of Research and Development; Hui for Excellence in Education; Hawai'i Children's Action Network Speaks!; Holomua Collaborative; HPM Building Supply; Title Guaranty of Hawai'i; Mana Up; aio; Early Childhood Action Strategy; AAUW of Hawaii; Chamber of Commerce Hawaii; Hawai'i State Coalition Against Domestic Violence; Aloha United Way; Parents And Children Together; Chamber of Sustainable Commerce; Fujiwara and Rosenbaum, LLLC; Save Medicaid Hawaii; Commit to Keiki; Hawai'i Association for the Education of Young Children; Hawai'i Women Lawyers; Women's Caucus of the Democratic Party of Hawai'i; and twenty-six individuals.

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

Your Committee finds that the State is experiencing a chronic shortage of highly qualified educators, including early childhood teachers and personnel. Additionally, the State's high cost of living creates an additional financial burden on early childhood education workers. Your Committee further finds that higher compensation is an effective way to enhance recruitment and retention of a qualified early learning workforce. Accordingly, this measure alleviates a portion of the financial burden for early childhood educators to ensure retention of talented, qualified personnel.

Your Committee has amended this measure by deleting language that would have authorized a childcare provider exempt from licensing and registration approved by the Department of Human Services to qualify for the child care provider subsidy and bonus program.

Your Committee notes that 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 inserting appropriation amounts for fiscal year 2024-2025, as follows, pursuant to testimony your Committee received from the Department of Human Services:

- (1) \$19,300,000 in general fund appropriations or non-federal funds to implement the Child Care Provider Subsidy and Bonus Program; and
- (2) \$100,000 for the establishment of one full-time equivalent (1.0 FTE) program specialist position to carry out the implementation and monitoring of the program.

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. 1964, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1964, 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. 3208 Health and Human Services on H.B. No. 2216

The purpose and intent of this measure is to increase the cap on state supplemental payments for type I adult residential care homes, licensed developmental disabilities domiciliary homes, community care foster family homes, certified adult foster homes, and type II adult residential care homes.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities; Department of Human Services; Disability and Communication Access Board; AARP Hawai'i; Adult Foster Homecare Association of Hawaii; United Community Healthcare of Hawaii; Community Home Care Association of Hawaii; Alliance of Professional Primary Care Administrators; Alliance of Residential Care Administrators; The Primary Care Providers of Hawaii, Inc.; International Longshore & Warehouse Union Local 1000; Community Care Foster Family Home; and thirty-seven individuals.

Your Committee finds that many residents of the State with developmental disabilities rely on care homes for essential support and services to meet their daily living needs. Your Committee further finds that the current cap on state supplemental payments often falls short of covering the actual costs incurred by care providers, leading to financial strain and potential disruptions in care delivery. This measure increases the state supplemental payment ceiling for certain long-term care facilities and enhances the quality of life and support services for individuals with developmental disabilities across the State.

Your Committee has amended this measure by:

- (1) Inserting \$784 for the state supplemental payment ceiling for type I adult residential care homes, licensed developmental disability domiciliary homes, community care foster family homes, and certified adult foster homes;
- (2) Inserting \$892 for the state supplemental payment ceiling for type II adult residential care homes; and
- (3) Inserting an effective date of October 1, 2024.

Your Committee notes the testimony of the Department of Human Services that if their program budget is not reduced in H.B. No. 1800, H.D. 1, Regular Session of Hawaii 2024, the Department's current program budget appropriation will be sufficient to cover

this measure's state supplemental payment increases, and that the Department will not need a general fund appropriation to accommodate the state supplemental payment increases proposed in this measure, as amended.

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. 2216, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2216, 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. 3209 Health and Human Services on H.B. No. 2224

The purpose and intent of this measure is to:

- (1) Require the Executive Office on Aging (EOA) to create a comprehensive long-term care master plan to accomplish long-term care policy goals that, when implemented, ensures the availability of a full continuum of institutional and community-based services;
- (2) Establish long-term care planner positions within the EOA to oversee the development and implementation of the long-term care master plan;
- (3) Require the EOA to submit a report on the comprehensive master plan to the Legislature; and
- (4) Appropriate funds to develop the comprehensive master plan.

Your Committee received testimony in support of this measure from the Executive Office on Aging, AARP Hawai'i, International Longshore & Warehouse Union Local 1000, Sebastian's ARCH LLC, and Healthcare Association of Hawaii.

Your Committee finds that long-term care of the State's aging population is a matter of statewide concern. Your Committee further finds that there are many different providers, stakeholders, advocates, and agencies who must coordinate their efforts to ensure an equitable, affordable, and widely available long-term care system. This measure establishes an updated and comprehensive master plan for the State's long-term care system to better facilitate this coordination amongst stakeholders and to explore additional options in long-term financing of home-and community-based services and implement additional system improvements.

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. 2224, 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. 3210 Health and Human Services on H.B. No. 408

The purpose and intent of this measure is to:

- (1) Authorize the Department of Health to, in its discretion, certify community care foster family homes (CCFFH) for a fourth adult who is a Medicaid recipient and has documented housing instability, if certain conditions are met; and
- (2) Require the Department of Health to submit a report to the Legislature.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness.

Your Committee received comments on this measure from the State Council on Developmental Disabilities, Department of Human Services, Department of Health, International Longshore & Warehouse Union Local 1000, and Sebastian's ARCH LLC.

Your Committee finds that CCFFH are an integral part of the continuum of long-term care and provide a less restrictive community-based home for Medicaid recipients at a nursing facility level of care, which is a more expensive level of care. Your Committee further finds that CCFFH are currently allowed to have two residents, one of whom must be a Medicaid recipient, and may request for a third resident under certain conditions. This measure allows CCFFH to accommodate a fourth individual, increasing the availability of community-based housing for vulnerable residents of the State.

Your Committee has amended this measure by:

- (1) Inserting language that requires the Department of Health's certification of a community care foster family home for a fourth adult to be conditioned upon:
 - (A) The community care foster family home having a secondary caregiver, who is a certified nurse aid, as defined in section 457A-1.5, Hawaii Revised Statutes, who has completed a state-approved training program and other training as required by the Department of Health, who is on duty from 7:00 a.m. to 7:00 p.m.; and
 - (B) Submittal of an evaluation and report from a qualified service provider and health care provider for each adult proposed to be the fourth client in the community care foster family home;
- (2) Inserting language that allows a caregiver of a community care foster family home to submit a request to the Department of Health to increase the home's bed capacity from three to four only after all vacancies in CCFFH located on the same island are filled;
- (3) Clarifying that the Department of Health and the Governor's Coordinator on Homelessness shall submit a report of their findings and recommendations on the authorization to allow one additional individual who is a Medicaid recipient to be cared

for in the same community care foster family home and the benefits and impacts to homelessness and persons experiencing housing instability;

- (4) Inserting language that requires the Department of Health and the Governor's Coordinator on Homelessness to enter into a memorandum of agreement to implement this measure before the placement of any individual recommended for placement as a fourth adult in a certified community care foster family home;
- (5) Inserting a repeal date of June 30, 2027; 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. 408, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 408, 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; Ayes with Reservations (Aquino). Noes, none. Excused, none.

SCRep. 3211 Education on H.B. No. 335

The purpose and intent of this measure is to:

- (1) Exempt small purchases of career and technical education equipment for the Department of Education from the electronic procurement system requirements; and
- (2) Adjust the quotation requirements for the procurement of small purchases of career and technical education equipment for the Department.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 1, which deletes the contents of the measure and inserts language to exempt from the Hawaii Public Procurement Code educational materials and related training for direct student instruction in career and technical education programs within the Department of Education.

Your Committee received testimony in support of this measure or the proposed S.D. 1 from the Department of Education, Waipahu High School, Moanalua Middle School, and Roosevelt High School.

Your Committee received comments on this measure or the proposed S.D. 1 from the State Procurement Office.

Your Committee finds that career and technical education opportunities provide students with relevant hands-on learning experiences in various industries. However, rapid advancements in technology and industry necessitate rapid adaptation in educational settings. Therefore, this measure provides for the timely acquisition of career and technical education equipment and related training to ensure continuity of career-building opportunities for students.

Your Committee has amended this measure by adopting the proposed S.D. 1 and making it effective upon its approval.

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. 335, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 335, 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. 3212 Education on H.B. No. 1652

The purpose and intent of this measure is to establish a state income tax credit for qualified expenses incurred by certain individuals employed by the Department of Education, a public charter school, 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 Department of Education, Executive Office on Early Learning, Hawaii State Teachers Association, and Education Caucus of the Democratic Party of Hawai'i.

Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that Hawaii teachers spend an average of \$953 of their personal funds on various classroom supplies each year, including basic school supplies, snacks, meals for students who cannot afford or otherwise miss school meals, and supplemental materials for enrichment. However, as educators also experience the high cost of living in the State, additional fiscal incentives can help offset these expenditures to ensure continued recruitment and retention of quality teachers. Therefore, this measure will alleviate the financial burden of paying for essential classroom supplies that teachers and other school personnel often incur.

Your Committee notes the concerns raised in testimony that using the tax system to achieve social goals is an inefficient means of accomplishing such goals. The fact that teachers have to use their own personal funds to acquire necessary classroom materials is a concerning practice and is further complicated by underlying bureaucratic policies wherein teachers' requests for funding for certain items can take as long as six months to be approved. Despite prior Legislatures appropriating funds to address the issues of out-of-pocket expenses incurred by teachers, teachers have reported that navigating this system is still a frustrating process. Accordingly, rather than using the tax system to grant some fiscal relief to teachers, consideration should be given to fixing the underlying bureaucratic processes that limit teachers' abilities to access the funds that have been previously and directly appropriated for this very purpose.

Your Committee has amended this measure by clarifying the definition of "qualified expenses" to mean expenses paid for the eligible materials that are used by the qualified taxpayer in the classroom.

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. 1652, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1652, 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. 3213 Education on H.B. No. 2384

The purpose and intent of this measure is to:

- (1) Change the means of financing for a portion of funds appropriated for deposit into the School Facilities Special Fund to expand pre-kindergarten student capacity within the State from general funds to general obligation bond funds; and
- (2) Repeal the funds appropriated into and out of the School Facilities Special Fund by Act 257, Session Laws of Hawaii 2022, as amended.

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 School Facilities Authority.

Your Committee finds that Act 175, Session Laws of Hawaii 2023, amended Act 257, Session Laws of Hawaii 2022, to extend the general fund appropriation into the School Facilities Special Fund by one fiscal year. Extending the lapse date of the appropriation will provide sufficient time to encumber the amended general fund and new general obligation bond fund appropriations. Further by reducing the amount of general funds appropriated for deposit into the School Facilities Special Fund in fiscal year 2023-2024, the State can efficiently balance its budget while ensuring continued funding for projects such as pre-kindergarten facilities. Therefore, this measure ensures adequate funding needed to ensure the availability of facilities for public education across the State.

Your Committee has amended this measure by:

- (1) Replacing the School Facilities Authority with the Department of Education as the administrator of the School Facilities Special Fund;
- (2) Designating the Department of Education, rather than the School Facilities Authority, as the expending agency for the appropriation; 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 H.B. No. 2384, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2384, 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. 3214 Education on H.B. No. 2399

The purpose and intent of this measure is to exempt an additional administrative assistant position in the Hawaii State Public Library System from civil service.

Your Committee received testimony in support of this measure from the Hawaii State Public Library System.

Your Committee finds that Act 88, Session Laws of Hawaii 2021, established a new administrative assistant position within the Hawaii State Public Library System. The position was intended to be permanently exempt from civil service, but the corresponding statutory amendment was not included. As part of their duties and responsibilities, the administrative assistant position oversees and manages all public library facilities-related issues statewide, necessitating an exempt status due to certain qualifications and experience needed to effectively carry out the role statewide. While the Department of Accounting and General Services provides substantial support in repairing and maintaining library facilities due to the Department's staffing shortages, a dedicated position within the Hawaii State Public Library System, as proposed in this measure will promote efficiency within the Library System to prioritize and ensure the needs of all public library facilities.

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. 2399, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2399, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3215 Health and Human Services on H.B. No. 1776

The purpose and intent of this measure is to amend the applicable percentage of employment-related expenses that may be claimed by a taxpayer for the Household and Dependent Care Services Tax Credit.

Your Committee received testimony in support of this measure from the Office of the Governor; Office of Hawaiian Affairs; Aloha United Way, Inc.; Hawai'i Children's Action Network Speaks!; Catholic Charities Hawai'i; AARP Hawai'i; Democratic Party of Hawai'i Women's Caucus; Chamber of Sustainable Commerce; Save Medicaid Hawaii; Hawai'i Alliance for Progressive Action; Hawaii Appleseed Center for Law and Economic Justice; 'Ohana Leadership Council; Chamber of Commerce Hawaii; Democratic Party of Hawai'i; Hawai'i State Coalition Against Domestic Violence; and twenty-eight individuals.

Your Committee received comments on this measure from the Department of Taxation, and Tax Foundation of Hawaii.

Your Committee finds that the State has the highest cost of living in the nation and is facing a critical worker shortage that impacts its economy and future. Your Committee further finds that child and dependent care remain one of the largest cost burdens for Hawaii families, secondary to housing, and yet without affordable childcare, parents and guardians face huge barriers to joining or re-joining the workforce. Your Committee also finds that although Act 163, Session Laws of Hawaii 2023, significantly raised the amount of employment-related expenses that taxpayers can claim under the Household and Dependent Care Services Tax Credit, it did not raise the maximum percentage of those expenses that could be claimed, thereby making it difficult for families to realize the full value of the tax credit. This measure addresses this issue by allowing more families to benefit from the Household and Dependent Care Services Tax Credit.

Your Committee notes the concerns raised in testimony that while it appears that this measure proposes tax relief to lower income taxpayers, consideration should be given to adjusting the income tax rates or the threshold amounts so the taxpayers that these credits intended to benefit will not need to claim these credits to get tax relief or potentially forfeit any tax relief if they fail to claim the credits. Your Committee further notes that tax credits may have non-duplication provisions and strict time limits on when credits may be claimed, exposing taxpayers seeking tax relief through these credits to credit disallowance, penalties, and other undesirable consequences.

Your Committee also notes that H.B. No. 2404, H.D. 1., Regular Session of 2023, which was previously passed by the House of Representatives and recently passed first reading in the Senate, also amends the percentage of employment-related expenses for which the Household and Dependent Care Services Tax Credit may be claimed. Your Committee finds that the language in H.B. No. 2404, H.D. 1, is preferable because it offers more comprehensive changes to income tax laws that result in more tax relief for lower income taxpayers, including a one-time adjustment to income tax brackets to offset inflation.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 2404, H.D. 1, a measure that:
 - (A) Amends income tax brackets;
 - (B) Temporarily amends the applicable percentage of the employment-related expenses for which the Child and Dependent Care Income Tax Credit may be claimed;
 - (C) Permanently provides for a disallowance period when there is a final administrative or judicial decision finding that the claim was due to fraud or disallowing the credit; and
 - (D) Amends state conformity with certain federal deductions; 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 H.B. No. 1776, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1776, 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 (Awa).

SCRep. 3216 (Joint) Labor and Technology and Higher Education on H.B. No. 2720

The purpose and intent of this measure is to exempt graduate assistants from collective bargaining until they petition the Hawaii Labor Relations Board and the Board determines the graduate assistants are ready to be placed in a bargaining unit, at which point a collective bargaining unit for graduate assistants employed by the University of Hawaii and its community college system will be established.

Your Committees received testimony in support of this measure from University of Hawai'i at Mānoa Graduate Student Organization; University of Hawaii Professional Assembly; National Education Association; Academic Labor United; Democratic Party of Hawai'i Education Caucus; Democratic Party of Hawai'i Labor Caucus; Democratic Party of Hawai'i; Rainbow Family 808; Democratic Party of Hawai'i Stonewall Caucus; University of Hawai'i Student Caucus; United Public Workers, AFSCME Local 646, AFL-CIO; Academic Labor Union; and fifty individuals.

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

Your Committees received comments on this measure from the Department of Budget and Finance; University of Hawai'i System; Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO; and two individuals.

Your Committees find that graduate assistants play a vital role in the operation of the University of Hawaii by conducting research and teaching, and are integral to the State's innovation and intellectual capital. In January 2024, the Hawaii Labor Relations Board issued an order declaring that graduate assistants at the University of Hawaii are public employees as defined under section 89-2, Hawaii Revised Statutes (HRS), and are not included in any of the bargaining units identified in section 89-6, HRS. To allow these public employees the right to organize and collectively bargain the terms and conditions of their employment, this measure establishes a bargaining unit for graduate assistants employed by the University of Hawaii and its community college system in statute,

however, exempts them from collective bargaining until they petition the Hawaii Labor Relations Board and the Board determines that they are ready to be placed in a bargaining unit.

Your Committees note that S.B. No. 3317, S.D.1, Regular Session of 2024 (S.B. No. 3317, S.D.1), which has been previously heard by the Senate, also relates to the establishment of a collective bargaining unit for graduate assistants employed by the University of Hawaii and its community college systems. Your Committees find that the language in S.B. No. 3317, S.D. 1, is preferable because it establishes a collective bargaining unit for the graduate assistants without the condition that they petition and receive a determination from the Hawaii Labor Relations Board. The language in S.B. No. 3317, S.D. 1, is also preferable because it provides a definition of “graduate assistants” which is essential to this measure.

Accordingly, your Committees have amended this measure by deleting its contents and inserting the contents of S.B. No. 3317, S.D. 1, a measure that:

- (1) Defines “graduate assistant” as a student in a renewable, part-time academic appointment with responsibilities of teaching and research in their unit of hire, and have roles as professionals, albeit of an apprentice nature, in the university community;
- (2) Establishes Bargaining Unit (16) as a new collective bargaining unit for graduate assistants employed by the University of Hawaii and community college system;
- (3) Establishes that for the purpose of negotiating a collective bargaining agreement, the public employer of Bargaining Unit (16) means the Governor, who shall have three votes, the Board of Regents of the University of Hawaii, who shall have two votes, and the President of the University of Hawaii, who shall have one vote;
- (4) Establishes that part-time employees working less than twenty hours per week included in Bargaining Unit (16) are entitled to coverage under chapter 89, HRS;
- (5) Establishes impasse procedures for bargaining unit (16); and
- (6) Takes effect on July 1, 2055.

Your Committees note the contents and intentions of S.B. No. 2991, S.D. 2, Regular Session of 2024, that is currently moving through the legislative process, which amends criteria for the creation of new bargaining units, and its relation to this measure. Your Committees also note that the creation of a bargaining unit might not solve the ongoing issues within the University of Hawaii System, as the University of Hawaii Professional Assembly has had little success solving them. Your Committees find that these concerns merit further consideration and respectfully request that subsequent Committees that may hear this measure further examine these issues as this measure moves through the legislative process.

As affirmed by the records of votes of the members of your Committees on Labor and Technology and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2720, H.D. 3, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2720, 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.

Labor and Technology: Ayes, 5. Noes, none. Excused, none.

Higher Education: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

SCRep. 3217 (Majority) Commerce and Consumer Protection on H.B. No. 1686

The purpose and intent of this measure is to increase the reimbursement rate for chiropractic treatments for personal injury protection benefits under motor vehicle insurance from \$75 to \$100.

Your Committee received testimony in support of this measure from the Hawaii State Chiropractic Association; Pearl City Chiropractic, LLC; Tanaka and Associates Chiropractic & Massage, L.L.C.; Eclipse Chiropractic LLC; Turning Point Chiropractic Inc.; Dr. Jill Dawrs Family Chiropractic Clinic; Klein Natural Health and Wellness Center; and thirty individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs and Hawaii Insurers Council.

Your Committee finds that in the nearly three decades since the personal injury protection benefit for chiropractic treatments under motor vehicle insurance was first established pursuant to Act 251, Session Laws of Hawaii 1997, the cost of chiropractic care has continually increased, while the statutory benefit provided has remained unchanged. Therefore, this measure ensures equitable, fair, and accessible chiropractic care for individuals recovering from automobile accidents by increasing the authorized insurance benefit (i.e., reimbursement rates) for chiropractic treatments to align with current costs.

Your Committee has amended this measure by:

- (1) Replacing language that would have increased the reimbursement rate for chiropractic treatments for personal injury protection benefits under motor vehicle insurance from \$75 to \$100 with language that instead ties the authorized insurance benefits to the charges, and any subsequent increases in charges, that are permissible under the workers’ compensation supplemental medical fee schedule;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of July 1, 2040, 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 H.B. No. 1686, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1686, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3218 Commerce and Consumer Protection on H.B. No. 1803

The purpose and intent of this measure is to reduce the pass-through entity level tax rate and allow the pass-through entity tax credit to be carried forward to subsequent years, for taxable years beginning after December 31, 2023.

Your Committee received testimony in support of this measure from the Retail Merchants of Hawaii; Hawai'i Restaurant Association; Grassroot Institute of Hawaii; Zippy's Restaurants; Pacific Rim Land, Inc.; Accuity LLP; Chamber of Commerce Hawaii; and one individual.

Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that Act 50, Session Laws of Hawaii 2023 (Act 50), was enacted to help Hawaii's small businesses by allowing certain pass-through entities to elect to pay Hawaii state income taxes at the entity level and deduct those state income taxes paid on their federal income tax returns. Previously, certain changes to the federal tax code in 2017 had eliminated these deductions from federal taxable income, depriving many Hawaii taxpayers of significant federal tax benefits. However, your Committee finds that despite the ambition of Act 50, the high pass-through entity level tax rate imposed on electing pass-through entities and the inability to carry forward the tax credit have made it difficult for many small business owners to truly benefit as intended. Therefore, this measure makes necessary adjustments to the Pass-through Entity Taxation Election law established by Act 50 to help reduce the tax burdens imposed on small business owners.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2040, 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 H.B. No. 1803, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1803, 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. 3219 Commerce and Consumer Protection on H.B. No. 2048

The purpose and intent of this measure is to:

- (1) Increase the number of public members on the Board of Directors of the Hawaii Property Insurance Association from three to four; and
- (2) Require the Speaker of the House of Representatives and President of the Senate, rather than the Insurance Commissioner, to appoint the public members.

Your Committee received testimony in support of this measure from Hawaii First Realty LLC and three individuals.

Your Committee received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs and Hawai'i Property Insurance Association.

Your Committee finds that the Hawaii Property Insurance Association (HPIA) is a state-run insurer of last resort that provides basic property insurance for persons unable to purchase homeowners coverage in the private market. Under existing law, the HPIA board, which has the responsibility and control over the organization, management, policies, and activities of the HPIA, consists of twelve members, three of whom are public members appointed by the Insurance Commissioner. Your Committee finds that the existing appointment process is not representative of, or responsive to the State's diverse geographic areas and communities. Therefore, this measure amends and improves the HPIA board member selection process to increase statewide representation and ensure that all communities have a seat at the table.

Your Committee has amended this measure by:

- (1) Inserting an unspecified number of public members to be appointed to the Board of Directors of the Hawaii Property Insurance Association by the Speaker of the House of Representatives and the President of the Senate, respectively, to encourage further discussion;
- (2) Making a conforming amendment by inserting an unspecified number of total members to compose the Board of Directors of the Hawaii Property Insurance Association;
- (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 H.B. No. 2048, H.D. 1, as amended herein, and recommends

that it pass Second Reading in the form attached hereto as H.B. No. 2048, 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. 3220 Commerce and Consumer Protection on H.B. No. 2641

The purpose and intent of this measure is to:

- (1) Reestablish beginning September 30, 2024, the Appraisal Management Company Registration Program within the Department of Commerce and Consumer Affairs to conform with the minimum standards of the Appraisal Management Companies Final Rule and federal Dodd-Frank Wall Street Reform and Consumer Protection Act;
- (2) Reestablish registration requirements, standards, and penalties for violations; and
- (3) Make appropriations from the Compliance Resolution Fund.

Your Committee received testimony in support of this measure from the Hawai'i Association of REALTORS, Hawaii Financial Services Association, Real Estate Valuation Advocacy Association, Mortgage Bankers Association of Hawaii, Hawaii Bankers Association, Hawaii Credit Union League, and one individual.

Your Committee received comments on this measure from the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs.

Your Committee finds that in 2017, the Legislature enacted Act 118, Session Laws of Hawaii 2017 (Act 118), formerly codified as chapter 466L, Hawaii Revised Statutes, to establish a regulatory framework for appraisal management companies in Hawaii in conformance with the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010. However, the framework established by Act 118 was subject to a statutory sunset, and has since been repealed as of June 30, 2023. Your Committee finds that the continuation of the Appraisal Management Company Registration Program established by Act 118 is in the public's best interest, and that the lack of regulatory framework could result in serious unintended and adverse consequences for Hawaii consumers and others involved in the residential appraisal process in the State. Therefore, this measure permanently reenacts the Appraisal Management Company Registration Program established by Act 118.

Your Committee has amended this measure by:

- (1) Changing the commencement date for the reestablishment of the Appraisal Management Company Registration Program from September 30, 2024, to September 1, 2024;
- (2) Inserting language that repeals chapter 466L, Hawaii Revised Statutes, for the purposes of clarity; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes the testimony received from the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs, requesting that the sums of \$23,000 each for fiscal years 2023-2024 and 2024-2025 be appropriated out of the Compliance Resolution Fund to cover the costs of reestablishing and maintaining the Program. Therefore, your Committee respectfully requests that your Committee on Ways and Means consider inserting these appropriation amounts, should it choose to deliberate on 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. 2641, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2641, 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. 3221 (Joint) Judiciary and Health and Human Services on H.B. No. 1976

The purpose and intent of this measure is to:

- (1) Require the Office of Elections to annually request funding for the Statewide Elections Accessibility Needs Advisory Committee; and
- (2) Appropriate funds to the Office of Elections Statewide Elections Accessibility Needs Advisory Committee to gather information and provide outreach and voter education services for individuals with accessibility needs.

Your Committees received testimony in support of this measure from the Hawaii State Council on Developmental Disabilities, Disability and Communication Access Board, Statewide Accessibility Needs Advisory Committee, Hawaii Disability Rights Center, and six individuals.

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

Your Committees find that removing barriers for persons with voting accessibility needs increases accessibilities for voters with disabilities through the entire voting process, from registration through casting ballots, and ensures that all individuals have equal access to the voting process. Existing law requires the State Office of Elections and each county election office to address accessibility and ways to remove barriers. Your Committees believe that understanding the unique needs of each community statewide can provide valuable insight on current and future accessibility issues for voters. This measure will promote greater participation in voting by individuals with access needs who may otherwise be excluded.

Your Committees have amended this measure by:

- (1) Inserting an appropriation amount of \$10,000 for information gathering, outreach, and voter education expenses approved by the Statewide Elections Accessibility Needs Advisory Committee; and
- (2) Making it effective on July 1, 2024.

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. 1976, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1976, 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.

Judiciary: Ayes, 3. Noes, none. Excused, 2 (Elefante, Awa).

Health and Human Services: Ayes, 5. Noes, none. Excused, none.

SCRep. 3222 (Joint) Public Safety and Intergovernmental and Military Affairs and Commerce and Consumer Protection on H.B. No. 1902

The purpose and intent of this measure is to:

- (1) Clarify that the Governor's and mayors' emergency management powers shall be consistent with the Hawaii State Constitution;
- (2) Clarify the scope of the comprehensive emergency management plan;
- (3) Clarify the powers of the Governor and mayors to extend or terminate a state of emergency; and
- (4) Shorten the duration of price control periods from ninety-six hours to seventy-two hours.

Your Committees received testimony in support of this measure from the Hawai'i Emergency Management Agency; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii State AFL-CIO; NAIOP Hawaii; Retail Merchants of Hawaii; Hawaii Food Industry Association; Hawai'i Association of REALTORS; Land Use Research Foundation of Hawaii; Hawai'i Restaurant Association; and fifty-eight individuals.

Your Committees received testimony in opposition to this measure from ten individuals.

Your Committees received comments on this measure from the Grassroot Institute of Hawaii, Lāhainā Strong, and thirty-nine individuals.

Your Committees find that it is necessary for all parties on the federal, state, county, and non-governmental levels to develop a proper framework of duties and responsibilities to prepare, mitigate and recover from catastrophic events. Your Committees further find that Hawaii's emergency response plans need further development, particularly regarding the roles of the Governor and mayors. This measure will help integrate a matrix of responsibilities into an emergency management program.

Your Committees have amended this measure by:

- (1) Specifying that any proclamation of a state of emergency that fails to state a time at which it will take effect shall take effect at noon of the day on which it takes effect;
- (2) Adding a new part to insert the contents of section 1 of Senate Bill No. 2904, S.D. 2 (2024), which amends emergency management law to protect tenants, mortgagors, consumers, and residents for certain periods of time after the issuance of a gubernatorial or mayoral emergency proclamation; 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 Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1902, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1902, H.D. 1, 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, 4; Ayes with Reservations (Elefante). Noes, none. Excused, 1 (Awa).

Commerce and Consumer Protection: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3223 Transportation and Culture and the Arts on H.B. No. 1861

The purpose and intent of this measure is to:

- (1) Require license plates issued on or after January 1, 2025, to include 'okina in the word "Hawai'i"; and
- (2) Authorize the use of all uppercase letters, all lowercase letters, or initial capital letters for the words "Hawai'i" and "Aloha State" in motor vehicle license plates.

Your Committee received testimony in support of this measure from the Department of Customer Services of the City and County of Honolulu and ten individuals.

Your Committee finds that two years ago, the Legislature passed Act 170, Session Laws of Hawaii 2022, which requires Hawaiian diacritical markings in Hawaiian names and words in official state and county letterhead. According to testimony received by your

Committee, existing statute does not permit the inclusion of the 'okina on license plates. This measure will support broader implementation of Hawaiian diacritical marks across government, including state vehicle license plates.

Your Committee has amended this measure by:

- (1) Limiting special number plates for environmental conservation to apply to electric vehicles only, with all the benefits and restriction of electric vehicle plates;
- (2) Specifying that the design for special number plates for environmental conservation shall not require the words "Aloha State" along the lower portion of the plate;
- (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 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. 1861, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1861, 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. 3224 Transportation and Culture and the Arts on H.B. No. 1869

The purpose and intent of this measure is to establish the felony offenses of misuse of unmanned aircraft in the first, second, and third degrees.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee received testimony in opposition of this measure from one individual.

Your Committee comments on this measure from Hawaiian Electric.

Your Committee finds that the civilian use of drones has become increasingly popular among the general public. Your Committee further finds that this use has increased the risk of drones being utilized to harm people and property. This measure will adjust to the increasing availability and use of drones by the public, discourage the misuse of drones that is detrimental to others, and ensure that state and county prosecutors are equipped to properly charge these types of offenses.

Your Committee has amended this measure by:

- (1) Replacing the term "unmanned" with "uncrewed";
- (2) Adding language to require that uncrewed aircraft be directly operated by a human operator at all times; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that Hawaiian Electric offered comments on House Draft 1. Should subsequent Committees choose to deliberate on this measure, your Committee respectfully requests that they consider adding a public utility to individuals exempted from this measure. Additionally, your Committee respectfully requests that they consider further specifying the terms "intentionally" and "knowingly" to avoid a potential overly broad application.

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. 1869, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1869, 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. 3225 (Majority) Transportation and Culture and the Arts on H.B. No. 2065

The purpose and intent of this measure is to amend the appropriation for fiscal year 2024—2025 for the Noise Traffic Pilot Program of the Department of Transportation.

Your Committee received testimony in support of this measure from two individuals.

Your Committee finds that Act 63, Session Laws of Hawaii 2023, established a pilot program on Oahu to utilize noise detection traffic cameras to address excessive traffic noise. Your Committee further finds that excessively loud and unabated noises can result in physiological, psychological, and economic damage to residents in high trafficked neighborhoods. Your Committee believes that 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, this measure will ensure that the pilot program continues its work in alleviating noise pollution.

Your Committee notes that the House Draft 2 of this measure contains an unspecified appropriation amount and an effective date of July 1, 3000.

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. 2065, 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, 1 (Awa). Excused, none.

SCRep. 3226 (Majority) Transportation and Culture and the Arts on H.B. No. 2071

The purpose and intent of this measure is to:

- (1) Provide that any photo red light imaging detector system's clear and unobstructed recorded image of a motor vehicle license plate shall be prima facie evidence that the motor vehicle to which the license plate is attached is the motor vehicle for which the license plate was issued; and
- (2) Require the State, the county, or the State's or county's third-party contractor to implement a process to record the date on which the summons or citation was submitted to the post office, which shall be prima facie evidence of the date the summons or citation was submitted to the post office.

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 one individual.

Your Committee finds that vehicles that fail to stop for a red light pose a danger for all pedestrians, especially pedestrians with certain disabilities. Additionally, children, who are less visible to drivers are also at risk. This measure will make the State's roadways safer for pedestrians by allowing photo red light imaging detector systems to be used as prima facie evidence.

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. 2071, 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, 1 (Awa). Excused, none.

SCRep. 3227 Transportation and Culture and the Arts on H.B. No. 2376

The purpose and intent of this measure is to adjust funding for Department of Transportation programs to pay for anticipated operating shortfalls due to the limited ability to transfer funds between programs.

Your Committee received testimony in support of this measure from the Department of Transportation and Department of Budget and Finance.

Your Committee finds that in prior years, the respective budget acts contained a budget proviso which permitted departments to transfer funds between their programs, provided that the Legislature was informed of the transfers. Your Committee further finds that the Supplemental Appropriations Act of 2022 and the General Appropriations Act of 2023 do not reinstate the proviso, causing a critical funding emergency by limiting the ability of departments to transfer funds between their programs to address changing conditions. This measure will address the omission of the transfer proviso by adjusting funding for various programs to be commensurate with their anticipated levels of activity, allowing the Department of Transportation to address traffic issues on Oahu.

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. 2376, 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 (Kanuha).

SCRep. 3228 Transportation and Culture and the Arts on H.B. No. 2380

The purpose and intent of this measure is to make an emergency appropriation to provide special funds for disbursements of moneys in the Mass Transit Special Fund.

Your Committee received testimony in support of this measure from Department of Budget and Finance, Honolulu Authority for Rapid Transportation, and Oahu Metropolitan Planning Organization.

Your Committee finds that the Department of Budget and Finance anticipates there will be a shortfall in special fund ceiling for the Mass Transit Special Fund. Your Committee further finds that the Department of Budget and Finance requests that \$179,000,000 be appropriated to reflect the increases in revenue estimates for the Transient Accommodations Tax and the General Excise Tax County Surcharge. This measure will provide the necessary funds for the Mass Transit Special Fund to continue operations in fiscal year 2024.

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 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. 2380, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2380, 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. 3229 Transportation and Culture and the Arts on H.B. No. 1578

The purpose and intent of this measure is to:

- (1) Allow a shipping container chassis that holds a valid out-of-state certificate of vehicle registration to obtain a certificate of safety inspection; and
- (2) Make an out-of-state registration for a shipping container chassis valid in the State until its expiration in the other state or for one year after a vehicle safety inspection.

Your Committee received testimony in support of this measure from the Department of Transportation; General Contractors Association of Hawaii; Hawaii Harbors Users Group; Matson Navigation Company, Inc.; Retail Merchants of Hawaii; Young Brothers, LLC; and one individual.

Your Committee finds that nationwide, most states acknowledge out-of-state license plates and registrations of shipping container chassis because of the intermodal and interstate nature of the industry. Your Committee further finds that due to the isolation of Hawaii as an island state, commercial harbors and shipping container chassis are essential to the delivery of necessary goods into the State. By allowing out-of-state registered shipping container chassis to obtain a safety check in Hawaii, this measure will ensure the safety, efficiency, and flexibility of supply chain flows at commercial harbors.

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 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. 1578, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1578, 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, none. Excused, 2 (Kanuha, Awa).

SCRep. 3230 Transportation and Culture and the Arts on H.B. No. 2490

The purpose and intent of this measure is to increase the caps for the total contract value for any one capital advancement contract and the total aggregate value of capital advancement contracts in a fiscal year entered into by the Department of Transportation with private parties for harbor improvements and add reporting requirements for the Department.

Your Committee received testimony in support of this measure from the Department of Transportation; Hawaii Harbors Users Group; Matson Navigation Company, Inc.; and Young Brothers, LLC.

Your Committee finds that the Department of Transportation is authorized to enter into capital advancement contracts with private entities for any public improvement to or construction of a state port facility when the Director of Transportation determines that a capital advancement contract promotes the best interest of the State. Your Committee further finds that in recent years, this tool has proven effective in expediting project delivery, especially for projects that increase port resilience and operational efficiency. This measure will ensure the Department of Transportation is able to adjust to escalating project costs due to inflation and rising costs of materials and labor by increasing the existing cap for capital advancement contracts.

Your Committee has amended this measure by inserting an effective date of July 1, 2024.

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. 2490, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2490, 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. 3231 (Majority) Transportation and Culture and the Arts on H.B. No. 2491

The purpose and intent of this measure is to amend existing state law to adopt federal penalties for commercial driver's license violations.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that the Federal Motor Carrier Safety Administration has determined that Hawaii's penalties for commercial motor vehicle employers and drivers with out-of-service violations and railroad-highway grade crossing violations do not comply with federal regulations. Your Committee further finds that existing civil penalty fines are too low when a driver is convicted of a violation. This measure will adjust state law penalties for commercial driver's license violations to align with federal regulations.

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. 2491, 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, 1 (Awa). Excused, none.

SCRep. 3232 (Majority) Transportation and Culture and the Arts on H.B. No. 2492

The purpose and intent of this measure is to amend existing law to meet new federal regulations for commercial driver's licenses when the Drug and Alcohol Clearinghouse prohibits a driver from operating a commercial vehicle due to drug and alcohol violations.

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 Hawaii's penalties for commercial motor vehicle employers and drivers with out-of-service violations and railroad-highway grade crossing violations are not in compliance with federal regulations. Your Committee further finds that according to federal regulations, if a state discovers a candidate is prohibited from operating a commercial motor vehicle, the State must not grant the commercial learner's permit or must downgrade the commercial driver's license. By revising existing statute, this measure will ensure compatibility with federal compliance by allowing the State to conform to federal regulations.

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. 2492, 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, 1 (Awa). Excused, none.

SCRep. 3233 Transportation and Culture and the Arts on H.B. No. 2493

The purpose and intent of this measure is to create two new commercial driver's license restrictions relating to operating a commercial motor vehicle in excess of eighteen thousand pounds gross vehicle weight rating and operating a commercial motor vehicle on Lanai and Molokai only.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that, without traveling to another island, it is currently impossible to obtain a standard commercial driver's license on Molokai or Lanai. Commercial driver license applicants on Molokai and Lanai cannot adequately demonstrate essential driving skills, including the ability to choose a safe gap for changing lanes, passing other vehicles, and crossing or entering traffic and the ability to signal appropriately when changing direction in traffic. Your Committee further finds that the Federal Motor Carrier Safety Association has determined that the restricted commercial driver's license road tests on Lanai and Molokai do not meet federal standards. This measure will create a new restricted commercial driver's license for those on Lanai and Molokai.

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. 2493, 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. 3234 Transportation and Culture and the Arts on H.B. No. 2526

The purpose and intent of this measure is to:

- (1) Increase the penalty for a third or subsequent offense involving the unauthorized driving or operation of motor vehicles to a class C felony; and
- (2) Authorize the court, as part of the person's sentencing for the third or subsequent offense, to order that the vehicle used by the person in the commission of the offense be subject to forfeiture.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and three individuals.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that overall traffic fatalities and injuries have increased in recent years throughout the State. Your Committee further finds that there has also been a dramatic increase in traffic violations committed by repeat offenders, including driving without a license and speeding. This measure will prioritize the safety of Hawaii residents by creating greater deterrents for those who engage in dangerous driving behaviors.

Your Committee has amended this measure by making it effective on July 1, 2024.

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. 2526, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2526, 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 (Kanuha).

SCRep. 3235 Transportation and Culture and the Arts on H.B. No. 2673

The purpose and intent of this measure is to:

- (1) Permit the counties to use county surcharge revenues for maintenance of public roadways and private roadways that are open to the public; and
- (2) Require the counties to use fuel taxes for reconstruction, improvement, repair, and maintenance of private roads that are open to the public.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council.

Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that while private roads are under the ownership of private persons, the use of the private roads are not exclusive to those private persons. For example, private roads are often heavily used by first responders to respond to emergencies and by school buses for the transportation of students to and from school. This measure will support the maintenance and upkeep of private roads that serve a public purpose by permitting the counties to use county surcharge and fuel tax revenues on these private roads.

Your Committee has amended this measure by:

- (1) Clarifying that revenues collected by a county surcharge on state tax ordinance may be used for maintenance of public roadways by counties with a population of less five hundred thousand rather than each county;
- (2) Adding language to extend the sunset date of the working group established by Act 200, Session Laws of Hawaii 2022, to June 30, 2025;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

Your Committee notes that the House Draft 2 of this measure contains an effective date of July 1, 2050 and respectfully requests that your Committee on Ways and Means verify the expenditure of funds in consideration of the amendments.

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. 2673, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2673, 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. 3236 (Joint) Labor and Technology and Judiciary on H.B. No. 1643

The purpose and intent of this measure is to:

- (1) Establish the time within which a disbursing officer must notify an employee of indebtedness to the government resulting from salary or wage overpayment after making a determination of the amount of indebtedness;
- (2) Amend the criteria for an actionable cause of action; and
- (3) Amend the amount a disbursing officer must deduct to begin immediate recovery of indebtedness based on an employee's gross income.

Your Committees received testimony in support of this measure from United Public Workers, AFSCME Local 646, AFL-CIO; Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO; and one individual.

Your Committees received comments on this measure from the Department of Accounting and General Services.

Your Committees find that at times, the State and counties will mistakenly overpay an employee over a period of time or in one lump sum, which forces the employee, at no fault of their own, to take on what is essentially a loan they must repay. Your Committees further find that existing law requires these employees to repay the overpayment with the minimum repayment amount being either \$100 per pay period or twenty-five percent of an employee's compensation, which can put unnecessary strain on the employees' financial situation. Therefore, this measure will provide lower income earners more time and greater flexibility to repay their debt without undue burden.

Your Committees have amended this measure by:

- (1) Restoring existing statutory language that requires the notice of indebtedness to be given to the employee within two years from the date of the salary or wage overpayment for the indebtedness to be an actionable cause of action;
- (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 Labor and Technology and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1643, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1643, 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.
Labor and Technology: Ayes, 3. Noes, none. Excused, 2 (Ihara, Lee).
Judiciary: Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 3237 (Joint) Labor and Technology and Judiciary on H.B. No. 1967

The purpose and intent of this measure is to change the administrating agency of the Human Trafficking Victim Services Fund from the Department of Labor and Industrial Relations to the Department of the Attorney General.

Your Committees received testimony in support of this measure from the Department of the Attorney General, Department of Labor and Industrial Relations, Office of Hawaiian Affairs, Rainbow Family 808, Democratic Party of Hawai'i Women's Caucus, Imua Alliance, and five individuals.

Your Committees find that the Human Trafficking Victim Services Fund has been administratively attached to the Department of Labor and Industrial Relations since its inception in 2014. Your Committees further find that in 2022 and 2023, the Legislature established within the Department of the Attorney General, a Special Investigations and Prosecution Division that serves as the State's primary prosecutorial unit responsible for prosecuting human trafficking and sex trafficking, and a statewide Human Trafficking Prevention Program that provides services and assistance to victims of human trafficking and commercial sexual exploitation of children. This measure will allow the Department of the Attorney General to use the Human Trafficking Victims Services Fund to supplement programs, grants, or purchase of service contracts that support or provide comprehensive services to these victims.

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 Labor and Technology and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1967, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1967, 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.

Labor and Technology: Ayes, 3. Noes, none. Excused, 2 (Ihara, Lee).

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

SCRep. 3238 (Joint) Agriculture and Environment and Transportation and Culture and the Arts on H.B. No. 2758

The purpose and intent of this measure is to:

- (1) Facilitate the control and eradication of invasive species and pests;
- (2) Establish a Plant Nursery Licensing Program;
- (3) Require the Board of Agriculture to designate certain species as pests for control or eradication;
- (4) Impose certain limits on imports and transportation; and
- (5) Update the method by which the Board of Agriculture updates its noxious weed list.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Sierra Club of Hawai'i, Coordinating Group on Alien Pest Species, Kaua'āina Ulu 'Auamo, Hawai'i Farmers Union United, Council for Native Hawaiian Advancement, Ka 'Ohana O Na Pua, Hui Ho'omalua I Ka 'Aina, Hawai'i Land Trust, North Shore Neighborhood Board No. 27, and twenty-nine individuals.

Your Committees received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO and Hawaii Floriculture and Nursery Association.

Your Committees received comments on this measure from the Department of Agriculture, Department of the Attorney General, Hawai'i Farm Bureau, Hawai'i Forest Industry Association, and Maui Chamber of Commerce.

Your Committees find that the entry and establishment of a new, devastating pest or disease is an ever-present reality, given the increase and expansion of global trade and travel. Your Committees further find that that horticultural trade is one of the primary pathways through which invasive pests are spread around the State. This measure will mitigate the introduction and spread of invasive pests and noxious weeds in the State by supporting a framework of comprehensive detection, control, and eradication mechanisms, including the registration of nurseries.

Your Committees have amended this measure by:

- (1) Deleting language that would have given certain invasive species committees and the Hawaii Ant Lab certain regulatory functions relating to the control and eradication of invasive species and pests;
- (2) Deleting language that would have established a Plant Nursery Licensing Program, including a State Plant Regulatory Official;
- (3) Inserting language establishing a Plant Nursery Registration Program;
- (4) Deleting language that would have included an invasive species committee as an agent of the Department of Agriculture; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and 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. 2758, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2758, H.D. 2, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Rhoads).

Transportation and Culture and the Arts: Ayes, 5. Noes, none. Excused, none.

SCRep. 3239 (Joint) Labor and Technology and Education on H.B. No. 2401

The purpose and intent of this measure is to allow newly graduated high school students to be eligible for workers' compensation coverage during the summer following their high school graduation while participating in Department of Education-sponsored work-based learning programs.

Your Committees received testimony in support of this measure from the Department of Education, Special Education Advisory Council, and two individuals.

Your Committees find that as students transition from high school to their post-secondary plans, the Department of Education offers the new graduates various supports during the summer following their graduation, including college and career advising, training, and internships. Your Committees also find that without workers' compensation coverage, employers may be discouraged from hosting new high school graduates as interns due to liability concerns. Therefore, this measure will promote participation of more employers in Department of Education-sponsored work-based learning programs by providing recent high school graduates with worker's compensation while participating in these programs during the summer after graduation.

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 Labor and Technology and Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2401, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2401, 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.

Labor and Technology: Ayes, 5. Noes, none. Excused, none.

Education: Ayes, 5. Noes, none. Excused, none.

SCRep. 3240 Higher Education on H.B. No. 1844

The purpose and intent of this measure is to appropriate funds for temporary adjunct faculty positions at the University of Hawaii Maui College.

Your Committee received testimony in support of this measure from the University of Hawai'i System and University of Hawaii Professional Assembly.

Your Committee finds that following the August 2023 Maui wildfires, there is a significant need for construction workers to rebuild Lahaina. To ensure an adequate construction workforce, additional instructors at the University of Hawaii Maui College are needed to assist in the education and training for various construction trades. Therefore, this measure provides additional support to the University of Hawaii Maui College to recruit and retain highly qualified instructors while ensuring continuity of educational opportunities for students.

Your Committee notes that while the faculty adjunct positions are temporary, the length of service for instructors appointed to the positions established in this measure is unclear. Therefore, your Committee respectfully requests that subsequent Committees that may choose to deliberate on this measure further clarify the length of service for the positions established in this measure.

Your Committee has amended this measure by:

- (1) Clarifying the unspecified number of temporary adjunct faculty positions as limited-term employment, rather than full-time employment;
- (2) Inserting language specifying that this measure is a matter of statewide concern; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1844, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1844, 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. 3241 Higher Education on H.B. No. 1949

The purpose and intent of this measure is to:

- (1) Require the University of Hawaii to establish and implement a two-year program to develop web-GIS wildfire susceptibility and vulnerability maps for the State to determine which communities, landscapes, buildings, and infrastructure are most vulnerable to future wildfires; and
- (2) Appropriate funds for the development of the wildfire susceptibility and vulnerability maps.

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 Maui Chamber of Commerce.

Your Committee finds that following the August 2023 Maui wildfires, there is a greater need to protect the State's people and natural resources from wildfire hazards. Wildfire vulnerability maps identify potential wildfire hazards to assist in the development of adaptation policies to prevent the disastrous impacts of future wildfires. Further, data from wildfire vulnerability maps will provide emergency management officials and first responders with tools needed to develop mitigation strategies such as forest management, creation of defensible space, and development of greenbelts. Therefore, this measure will provide the State with guidance on future land use policies to reduce the impacts of wildfires statewide.

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. 1949, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1949, 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. 3242 (Joint) Education and Labor and Technology on H.B. No. 2400

The purpose and intent of this measure is to:

- (1) Require a teacher to surrender their teaching license if the teacher resigns or retires during the pendency of any investigation into allegations of sexual assault, sexual harassment, or other physical abuse of a student; and
- (2) Require the surrender of the teacher's license to be reported to the National Association of State Directors of Teacher Education and Certification.

Your Committees received testimony in support of this measure from the Department of Education and Hawai'i Teacher Standards Board.

Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that Hawaii's keiki have a right to learn and grow in safe, protected learning environments. However, some teachers facing serious allegations involving sexual harassment or assault, or other physical abuse of a student, may exploit existing systems and avoid termination or discipline by relocating to another educational institution for employment before completion of any investigation that may otherwise disqualify the teacher from such employment. Therefore, this measure ensures greater accountability for teachers while ensuring proper safeguards for Hawaii's keiki.

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 Education and Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2400, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2400, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
Education: Ayes, 5. Noes, none. Excused, none.
Labor and Technology: Ayes, 5. Noes, none. Excused, none.

SCRep. 3243 Energy, Economic Development, and Tourism on H.B. No. 2369

The purpose and intent of this measure is to increase the maximum interest rate on Community-Based Economic Development loans to ten percent.

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 under existing law the interest rate allowable on Community-Based Economic Development (CBED) business loans is between three and six percent, and that the CBED program uses federal funds to leverage or supplement these loans. Your Committee further finds that federal rules require an interest rate floor according to market conditions, which is defined by the Wall Street Journal (WSJ) prime rate minus four percent. Your Committee additionally finds that the WSJ prime rate is currently at 8.5 percent and that the federal floor may approach or overtake the CBED maximum interest rate in the future, which would make it impossible to use federal funds for these loans. This measure increases the CBED maximum rate to ten percent and ensures the CBED loan program has the flexibility to offer low interest loans to comply with federal requirements.

Your Committee has amended this measure by inserting an effective date of January 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on 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. 2369, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2369, 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 (Fukunaga, Fevella).

SCRep. 3244 Energy, Economic Development, and Tourism on H.B. No. 2370

The purpose and intent of this measure is to clarify requirements to establish a quorum to do business and validate acts of the Stadium Authority.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Stadium Authority.

Your Committee finds that the Stadium Authority has had difficulties in establishing quorum and, consequently, has been unable to conduct business or take official action due to vacancies. Your Committee further finds that existing law lacks clarity concerning non-voting members and their status in establishing quorum. This measure clarifies quorum requirements for the Stadium Authority to allow the Authority to conduct its important business and take official action.

Your Committee has amended this measure by:

- (1) Inserting language to clarify that a majority of voting members of the Stadium Authority shall elect the Chairperson;
- (2) Clarifying that a majority of the voting members currently serving on the Stadium Authority shall constitute a quorum and the concurrence of a majority of all voting members currently serving on the Stadium Authority shall be necessary to make any action valid;
- (3) Inserting an effective date of January 1, 2060, 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 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. 2370, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2370, 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. 3245 Energy, Economic Development, and Tourism on H.B. No. 2563

The purpose and intent of this measure is to:

- (1) Require the Hawaii Tourism Authority to develop and publish, through a contract with a third party, a mobile application that includes all online application processes, including the collection of any applicable reservation fees, to acquire a reservation to conduct recreational and commercial activities in the State that are regulated by or under the jurisdiction of a state or county agency;
- (2) Require the Hawaii Tourism Authority to issue a request for proposals and contract for the development and publishing of the mobile application;
- (3) Establish the Tourism Enterprise Fund; and
- (4) Appropriate funds for the development and publication of the mobile application, including the hiring of mobile application managers.

Your Committee received testimony in support of this measure from the Hawaii Tourism Authority and two individuals.

Your Committee received testimony in opposition to this measure from the City and County of Honolulu Department of Information Technology and Friends of Hanauma Bay.

Your Committee received comments on this measure from the Department of Budget and Finance and City and County of Honolulu Department of Parks and Recreation.

Your Committee finds that unifying travel-related interactions with state and local government in a cohesive digital platform for visitors and residents of the State offers many opportunities to make these interactions more seamless for the consumer, to make destination management more efficient and effective through location-aware deployment of safety and educational messages, and to encourage meaningful itineraries that drive visitors to sites and experiences with the capacity to host them appropriately. By consolidating all of the forms and application processes required to conduct recreational and commercial activities in the State, this measure will streamline the application processes and greatly benefit the State's residents, visitors, and commercial operators.

Your Committee has amended this measure by:

- (1) Clarifying that manager positions to manage the mobile application are to be hired by the Hawaii Tourism Authority and not the Authority's Board of Directors; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

Your Committee notes that the development of the Hawaii Tourism Authority's mobile application proposed by this measure should be done by local businesses. Your Committee further notes that the functionalities of this mobile application should expand beyond simply reservations for recreational and commercial activities and should serve as a much more comprehensive platform to streamline information to the State's visitors, including upgrading the Department of Agriculture's Plants and Animals Declaration Form to an

electronic format, or disseminating important health information similar to the State's Safe Travels Program during the coronavirus disease 2019 pandemic.

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. 2563, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2563, 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 (Kim).

SCRep. 3246 Higher Education on H.B. No. 2500

The purpose and intent of this measure is to:

- (1) Establish the University of Hawaii Conference Center Revolving Fund and authorize the University of Hawaii to establish accounts under the fund to facilitate the administration of the revolving fund for conference center programs among various campuses and operating units of the University of Hawaii System;
- (2) Repeal the Conference Center Revolving Fund for the University of Hawaii at Hilo; and
- (3) Lapse funds to the University of Hawaii Conference Center Revolving Fund.

Your Committee received testimony in support of this measure from the University of Hawai'i System.

Your Committee finds that, presently, the University of Hawaii administers for Conference Center Revolving Funds for the University of Hawaii community colleges and the University of Hawaii at Hilo. However, existing funds have substantially similar processes, creating duplicative procedures that could benefit from a centralized fiscal process. Therefore, this measure standardizes fiscal management of conference center programs while eliminating duplication of statutes.

Your Committee has amended this measure by:

- (1) Inserting language specifying that this measure is a matter of statewide concern;
- (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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2500, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2500, 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. 3247 (Joint) Health and Human Services and Public Safety and Intergovernmental and Military Affairs and Agriculture and Environment on H.B. No. 1839

The purpose and intent of this measure is to appropriate funds for long-term monitoring of air quality for certain communities impacted by the August 2023 Maui wildfire and support for research efforts to better understand the environmental concerns linked to urban fires.

Your Committees received testimony in support of this measure from the Department of Health, one member of the Maui County Council, Lāhainā Strong, Democratic Party of Hawai'i, Maui Chamber of Commerce, and seven individuals.

Your Committees find that the devastating impacts from the August 2023 Maui wildfire, including air quality and toxicity, remain largely unknown. Details of the long-term air monitoring for the post-cleanup and disposal stage has not been determined, creating uncertainty regarding the air quality for residents and first responders in the vicinity of Lahaina. Therefore, this measure will allow the Department of Health to expand its air sampling efforts in the communities impacted by the wildfire and better understand the environment concerns to protect the health of the affected individuals.

Your Committees have amended this measure by:

- (1) Clarifying that a portion of the appropriation shall be allocated for an unspecified number of permanent environmental health specialist IV positions, rather than environmental health specialist I positions;
- (2) Clarifying that a portion of the appropriation shall be allocated to expand Olowalu community air sampling efforts, rather than Kula; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that 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 appropriation amounts for fiscal year 2024-2025, as follows, pursuant to testimony your Committees received from the Department of Health:

- (1) \$61,000 to \$78,000 for the establishment of one full-time equivalent (1.0 FTE) permanent environmental health specialist IV position;
- (2) \$40,000 for two sensors to be utilized for Olowalu community air sampling efforts; and
- (3) \$1,300,000 for the expansion of Lahaina community air sampling efforts.

As affirmed by the records of votes of the members of your Committees on Health and Human Services, Public Safety and Intergovernmental and Military Affairs, and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1839, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1839, 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 (Awa).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 3248 (Joint) Health and Human Services and Agriculture and Environment on H.B. No. 2444

The purpose and intent of this measure is to authorize the Department of Health to conduct criminal history record checks of applicants for permits to operate as a hemp processor.

Your Committees received testimony in support of this measure from the Department of Health, Department of Agriculture, Kauai Hemp Company, and one individual.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that Act 263, Session Laws of Hawaii 2023 (Act 263), provided consenting hemp processor applicants with two methods to satisfy the criminal background check requirement: consent to and pass fingerprint and criminal background check conducted by the Department of Health; or submit to the Department a valid license to grow hemp issued by the United States Department of Agriculture (USDA). However, as the Department of Health does not have the authority to conduct criminal history checks on consenting hemp processor applicants, only applicants who have satisfactorily passed a criminal background check to obtain a USDA license to grow hemp can apply to be a permitted hemp processor in the State. Therefore, this measure will effectuate the legislative intent of Act 263, allowing the Department of Health to issue hemp processor permits to those who do not have a USDA license to grow hemp.

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 Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2444, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2444, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3249 Health and Human Services on H.B. No. 2535

The purpose and intent of this measure is to:

- (1) Establish a Child Care Classroom Contracts Pilot Program to require the Department of Human Services to contract directly with child care center providers in licensed infant and toddler child care centers and group child care centers that meet certain criteria;
- (2) Require reports to the Legislature; and
- (3) Appropriate funds for a position to support the pilot program.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, Office of Hawaiian Affairs, Aloha United Way, Hui for Excellence in Education, Hawai'i Children's Action Network Speaks!, Early Childhood Action Strategy, Parents And Children Together, AAUW of Hawaii, Chamber of Commerce Hawaii, Save Medicaid Hawaii, Commit to Keiki, Chamber of Sustainable Commerce, Early Learning Board, and twenty-six individuals.

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

Your Committee finds that demand for high quality early learning programs are outpacing available enrollment in existing programs. Many families face months-long of waitlists, limiting the number of alternative arrangements for families. Additionally, providers have also experienced rising costs for child care programs, creating additional difficulties to increase capacity and meet demand. Therefore, this measure will provide support to Hawaii's youngest keiki and their families in pursuit of early learning and quality child care.

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. 2535, 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. 3250 Health and Human Services on H.B. No. 2713

The purpose and intent of this measure is to appropriate funds to provide additional support and resources to families receiving benefits through the State's adoption assistance and permanency assistance programs.

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

Your Committee finds that the Child Welfare Services Branch (CWS) of the Department of Human Services provides support for families statewide pursuing adoption or legal guardianship, and families that have attained such legal statuses through the State's child welfare system. However, certain children and families may experience trauma that can manifest at different points in life, including years after required support from CWS. Therefore, this measure provides additional support to families to strengthen parent-child relationships, enhance child development, and increase competence in parenting.

Your Committee notes that according to the Department of Human Services, approximately \$600,000, for the purposes of this measure is already included in H.B. No. 1800, Regular Session of 2024, relating to the State Budget, which was passed by the House of Representative is currently scheduled to be head by your Committee on Ways and Means.

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. 2713, 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 (Awa).

SCRep. 3251 Labor and Technology on H.B. No. 2658

The purpose and intent of this measure is to repeal the requirement that the Director of Human Resources Development must submit a report to the Legislature before reclassifying and abolishing vacant positions within state departments and agencies that are under the jurisdiction of the Department.

Your Committee received testimony in support of this measure from the Department of Human Resources Development.

Your Committee finds that existing law requires the Director of Human Resources Development to submit a report to the Legislature before abolishing or reclassifying vacant positions within State departments and agencies that are under the Department's jurisdiction. Your Committee also finds that there are other measures currently moving through the legislative process that require more detailed reports on the same subject matter, making the original reporting requirement redundant. Therefore, this measure will remove this redundancy.

Your Committee has amended this measure by inserting an effective date of July 1, 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. 2658, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2658, 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. 3252 (Joint) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on H.B. No. 2270

The purpose and intent of this measure is to establish a task force to develop and explore alternate routes into and out of the Waianae Coast, including through Kolekole Pass and opening Waianae Coast Emergency Access Road.

Your Committees received testimony in support of this measure from the Department of Transportation, Hawaii Military Affairs Council, and one individual.

Your Committees find that the residents of the westside of Oahu face significant challenges due to limited access to roads, which is compounded by the current state of disrepair of Kolekole Pass. Your Committees find that Kolekole Pass plays a critical role as an emergency evacuation route and also has the potential to ease traffic congestion in the area. This measure will improve emergency response, enhance public safety, and alleviate traffic by establishing a task force to develop accessible roadways on the Waianae Coast.

Your Committees note that the House Draft 1 of this measure contains an effective date of July 1, 3000.

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. 2270, H.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Kanuha, Awa).
Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3253 (Joint) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on H.B. No. 2295

The purpose and intent of this measure is to:

- (1) Authorize stopping, standing, and parking restrictions and prohibitions on property under jurisdiction of the Director of Transportation and the counties, respectively; and
- (2) Specify that the counties may issue traffic infractions for violations of any law prohibiting or restricting the stopping, standing, or parking of vehicles on all highways and county property.

Your Committees received testimony in support of this measure from the Department of Transportation, Office of the Mayor of the County of Maui, one member of the Maui County Council, and Ulupono Initiative.

Your Committees find that the counties are unable to issue traffic infractions for certain violations on highways and county property under existing statute. Your Committees believe that creating additional powers for the counties will allow each county to alleviate dangerous roadway conditions. This measure will increase public safety by authorizing the counties to issue traffic infractions where vehicles are creating a dangerous environment.

Your Committees note that the House Draft 1 of this measure contains an effective date of July 1, 3000.

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. 2295, 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.

Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Kanuha, Awa).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3254 (Joint) Transportation and Culture and the Arts and Agriculture and Environment on H.B. No. 1899

The purpose and intent of this measure is to designate certain snail species as official state snails.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Coordinating Group on Alien Pest Species; Kua'āina Ulu 'Auamo; Natural Conservancy, Hawai'i and Palmyra; and thirty-seven individuals.

Your Committees find that many Hawaiian snail species are so unique that the genealogical family is entirely composed of species found only from Hawaii, but many have either gone extinct or are critically endangered. Your Committees further find that in 2023, the Bishop Museum organized a statewide snail voting campaign to give voice to the community in deciding which snail species to recommend to the Legislature to be designated as the official state snail for each island. Your Committees believe that designating snails as the official state snails will bring awareness to both the importance of these terrestrial snails and the urgent need to save the remaining snails.

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. 1899, 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.

Transportation and Culture and the Arts: Ayes, 5; Ayes with Reservations (Inouye). Noes, none. Excused, none.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Rhoads).

SCRep. 3255 (Joint) Transportation and Culture and the Arts and Agriculture and Environment on H.B. No. 2650

The purpose and intent of this measure is to:

- (1) Appropriate funds to the Department of Transportation for the coordinated removal of albizia and other invasive trees; and
- (2) Require matching funds from public utilities.

Your Committees received testimony in support of this measure from the Department of Transportation, Department of Land and Natural Resources, Big Island Invasive Species Committee, Hawaiian Electric, Hawai'i Forest Industry Association, and three individuals.

Your Committees received comments on this measure from the Public Utilities Commission.

Your Committees find that albizia and other invasive trees pose a significant threat to natural areas, neighborhoods, and infrastructure because of the large, brittle limbs that are prone to breaking and falling in windy, rainy, or stormy weather conditions. Fallen or broken albizia trees can threaten public safety by blocking evacuation routes; damaging homes; downing utility lines; or impeding access to emergency care facilities, schools, and polling places. Your Committees find it necessary to enhance public safety by supporting vegetation management to reduce threats to utility infrastructure and public roadways.

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. 2650, H.D. 2, and recommend that it pass Second Reading and be referred to your Committees on Ways and Means and Commerce and Consumer Protection.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Rhoads).

SCRep. 3256 (Joint) Higher Education and Government Operations on H.B. No. 2499

The purpose and intent of this measure is to make permanent the authority of the President of the University of Hawaii to act as the University of Hawaii's chief procurement officer.

Your Committees received testimony in support of this measure from the University of Hawai'i System, State Procurement Office, and University of Hawaii Professional Assembly.

Your Committees find that Act 87, Session Laws of Hawaii 2013 (Act 87), removed the President of the University of Hawaii's full authority to act as Chief Procurement Officer for the University of Hawaii for all procurement contracts under the Hawaii Public Procurement Code. Pursuant to Act 87, the State Procurement Office reported to the Legislature regarding the extensive oversight, review, and coordination between the University of Hawaii and the State Procurement Office regarding procurements involving construction and professional services related to construction. The State Procurement Office previously initiated an exhaustive

analysis that examined both large and small procurements, including scope of work and change orders. The State Procurement Office determined that the University of Hawaii was “compliant” in its construction procurements with minimal recommendations for improvement. Your Committees further find that Act 42, Session Laws of Hawaii 2018, reinstated and restored full authority to the President of the University of Hawaii to act as Chief Procurement Officer and included a repeal and reenactment date of June 30, 2021. Act 8, Special Session Laws of Hawaii 2021, extended this provision to June 30, 2024.

Your Committees find that it is a matter of statewide concern that the President of the University of Hawaii serves simultaneously as the Chief Procurement Officer for the University of Hawaii System. According to the testimony of the University of Hawaii System, in its current organizational structure, the President serves as the Chief Procurement Officer, which aligns with other state agencies that designate the director of that agency as the Chief Procurement Officer. However, your Committees probed further into the intricacies of how procurement decisions are made at the University.

Your Committees found that since the issuance of a report by the State Procurement Office in 2016 analyzing the University of Hawaii’s procurement practices, the Office has not issued additional findings relating to the University of Hawaii’s procurement procedures. According to the testimony of the State Procurement Office at a public hearing on this measure, the Office was unaware of additional egregious procurements that the University of Hawaii initiated, with the exception of procurement for the Clarence T.C. Ching Field, of which the State Procurement Office determined that a procurement violation occurred. The University of Hawaii testified that it did not violate the Hawaii Public Procurement Code based on its interpretation of a clause inserted into contracts with contractors hired to work on various projects, including Clarence T.C. Ching Field. Your Committees expressed concerns that out of twelve change orders on the Clarence T.C. Ching Field procurement, only one change order was within the scope of the original procurement. As the Hawaii Public Procurement Code does not provide for change orders outside the scope of work that are justified for convenience or lack of time, your Committees find that the University of Hawaii should acknowledge its violations of the Hawaii Public Procurement Code to prevent additional disregard for existing provisions relating to procurement.

Your Committees also note a separate, yet similar out-of-scope procurement regarding the PBS Building, which originally sought to move equipment. However, the University of Hawaii noted the derelict condition of the building and subsequently submitted a change order to demolish the building. Despite the change order being out of scope with the original procurement intent, the University of Hawaii did not modify the order until the Legislature raised concerns. While the University of Hawaii testified that it attempts to adhere to the Hawaii Public Procurement Code for the hundreds of procurements and construction projects it undertakes each year, your Committees remain concerned that improvements are needed, rather than retaining practices that reinforce the status quo.

Your Committees also expressed concerns that, while the Hawaii Public Procurement Code establishes criminal penalties for wilful violations of the Procurement Code, there has been minimal enforcement on the University of Hawaii. The State Procurement Office is required to take violations of the Hawaii Public Procurement Code to court to determine if a criminal offence occurred. Additionally, the State Procurement Office noted in its testimony that it does receive correspondence from legal teams from a variety of agencies and jurisdictions. Presently, the University of Hawaii consults with University General Counsel to determine any foreseen issues that may arise with specific procurements. Your Committees note that, to ensure efficiency and accountability, utilization of advice from the State Procurement Office through legal counsel may provide clarity on future decisions made on construction projects or purchases that require procurement.

Your Committees further find that the University of Hawaii did not provide specific reasons to retain the President of the University of Hawaii as the Chief Procurement Officer. During its oversight under the State Procurement Office, the University of Hawaii noted that the bifurcated procurement system added an additional layer of administrative review. Further, there are many responsibilities associated with the role of Chief Procurement Officer beyond approvals for procurement. Other universities across the country do not have university presidents who concurrently serve as chief procurement officers. Additionally, as the role of Chief Procurement Officer requires significant attention to detail to ensure compliance with existing regulations, an individual who can dedicate time to understand the scope of the project while ensuring accountability over corrective actions and acknowledgement of violations is needed for effective procurement operations at the University of Hawaii. Although the University of Hawaii testified that it wishes to retain authority over its own procurement process, greater oversight into the University of Hawaii’s procedures is necessary to ensure accountability, operational efficiency, and adherence to existing procurement law.

Therefore, you Committees recommend that incorporating procurement under the Chief Financial Officer of the University of Hawaii provides a layer of accountability in the oversight of personnel involved in procurement and the ability to ensure that matters are thoroughly vetted before final approval of procurement projects. To address concerns raised over the role of the Chief Procurement Officer at the University of Hawaii, clarifying amendments are needed to this measure to designate the Chief Financial Officer of the University of Hawaii as the Chief Procurement Officer for the University.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language to replace the President of the University of Hawaii with the Chief Financial Officer as the Chief Procurement Officer of the University of Hawaii to serve for the University;
- (2) Extending the sunset date for the designation of the University of Hawaii’s Chief Procurement Officer to June 30, 2027;
- (3) Inserting language specifying that this measure is a matter of statewide concern;
- (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 Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2499, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2499, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Higher Education: Ayes, 5. Noes, none. Excused, none.
 Government Operations: Ayes, 3. Noes, none. Excused, 2 (Wakai, Awa).

SCRep. 3257 Transportation and Culture and the Arts on H.B. No. 1934

The purpose and intent of this measure is to require the Director of Transportation to convene an Intoxicated Driving Reduction Working Group, under leadership of Hawaii's Strategic Highway Safety Plan, to make recommendations for amendments to existing laws to reduce incidents of intoxicated driving.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of Law Enforcement, Oahu Metropolitan Planning Organization, and Mothers Against Drunk Driving Hawaii.

Your Committee finds that the Department of Transportation is in the process of updating its Strategic Highway Safety Plan (SHSP), which includes an impaired driving emphasis area. Since the inception of the SHSP in 2007, Hawaii's traffic fatalities have dropped to an average of one hundred four each year and thirty-seven alcohol-related fatalities each year. This measure will lead to safer roadways by convening an Intoxicated Driving Reduction Working Group, under the leadership of SHSP.

Your Committee notes that the Department of Law Enforcement has expressed interest in participating in the Intoxicated Driving Reduction Working Group.

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. 1934, 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 (Kanuha).

SCRep. 3258 Transportation and Culture and the Arts on H.B. No. 1940

The purpose and intent of this measure is to appropriate funds out of the Works of Art Special Fund to the State Foundation on Culture and the Arts for the integration of works of art projects into several major capital improvement projects.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts.

Your Committee received testimony in opposition to this measure from three individuals.

Your Committee finds that while the growing cost of state construction has resulted in increased revenue to the Works of Art Special Fund, the State Foundation on Culture and the Arts is unable to address the rising demands of contributing state departments for culture and arts programs and services because the budget ceiling remains static. This measure will allow the State Foundation on Culture and the Arts to expand its works of arts projects by increasing the appropriation ceiling of the Works of Art Special Fund.

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. 1940, 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 (Kanuha).

SCRep. 3259 Transportation and Culture and the Arts on H.B. No. 2702

The purpose and intent of this measure is to appropriate funds for equipment and positions within the Department of Transportation to conduct improvements to Hana Highway.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that the Hana Highway serves as both the primary route for the residents of East Maui to reach essential services, employment, college, healthcare, and businesses in Central Maui, but is also a popular tourist attraction. Your Committee further finds that because maintaining this stretch of road can be challenging, the Hana Highway is in severe need of repair and maintenance. This measure will increase the safety and efficiency of the Hana Highway by appropriating funds for necessary equipment and personnel to address existing infrastructure issues.

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. 2702, 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 (Kanuha).

SCRep. 3260 Transportation and Culture and the Arts on H.B. No. 1939

The purpose and intent of this measure is to appropriate funds to the State Foundation on Culture and the Arts to provide greater access to the arts for children and communities in need, with a focus on those affected by the August 2023 Maui wildfires.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and State Foundation on Culture and the Arts.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that according to the Federal Emergency Management Agency, the arts can be effective in disaster recovery by providing an opportunity channeling post-traumatic stress and anxiety into creative and productive community outcomes. Your Committee further finds that state arts agencies can play an important role as information providers, funding sources, and networking tools to connect communities and resources. This measure will increase access to the arts for children and communities, particularly those affected by the August 2023 Maui wildfires, by developing a Statewide Arts Program within the State Foundation on Culture and the Arts, in conjunction with other partnering organizations.

Your Committee has amended this measure by:

- (1) Adding language that authorizes the State Foundation on Culture and the Arts to accept gifted property for the purpose of providing community venues for education, economic development, revenue generation, and for other purposes supporting the Foundation's mission;
- (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 H.B. No. 1939, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1939, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Kanuha).

SCRep. 3261 Transportation and Culture and the Arts on H.B. No. 2175

The purpose and intent of this measure is to:

- (1) Appropriate funds for the development of a community-based, long-range transportation plan for the Kaaawa, Punaluu, and Hauula communities; and
- (2) Require the involvement of community members and organizations in the development plan process.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of Land and Natural Resources, Oahu Metropolitan Planning Organization, and four individuals.

Your Committee finds that climate change is causing coastal erosion and escalating challenges to rural communities along the State's coasts. Your Committee further finds that the specific vulnerabilities faced by the communities of Kaaawa, Punaluu, and Hauula, including the urgency of addressing coastal erosion and road conditions, require long-term plans to mitigate the effects of climate change. This measure will preserve the integrity of vital transportation infrastructure by appropriating funds to develop a Kaaawa-Hauula Community-Based, Long-Range Transportation Plan.

Your Committee has amended this measure by:

- (1) Changing the date for the Department of Transportation to submit the Kaaawa-Hauula Community-Based, Long-Range Transportation Plan to the Legislature from June 30, 2026, to December 31, 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 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. 2175, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2175, 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 (Kanuha).

SCRep. 3262 Transportation and Culture and the Arts on H.B. No. 2715

The purpose and intent of this measure is to authorize the issuance of special number plates to commemorate Mālama Pu'uloa.

Your Committee received testimony in support of this measure from Hui O Ho'ohonua.

Your Committee finds that that Keawalau o Puuloa, also known as Puuloa or Pearl Harbor, is a place of cultural significance that exemplifies the power of positive, community-led change. Your Committee further finds that while Puuloa was an abundant water resource for many ecosystems, the introduction of chemicals, toxic materials, and heavy metals have led to significant contamination of the area. However, in response to the environmental neglect, the nonprofit organization Mālama Pu'uloa has mobilized and engaged an entire community in cleanup and education efforts. This measure will recognize the positive impact of Mālama Pu'uloa in the State by designating a special number plate to be issued throughout the State.

Your Committee has amended this measure by:

- (1) Adding language to limit the special number plate design to four and a half inches in height by four and a half inches in width;
- (2) Adding language to require the special number plate design to comply with all requirements regulating number plates in section 249-9(a); 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 H.B. No. 2715, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2715, 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 (Kanuha).

SCRep. 3263 Agriculture and Environment on H.B. No. 2083

The purpose and intent of this measure is to authorize the Department of Education (Department) to establish:

- (1) A recognition program to incentivize schools to submit to the Department a plan for the school to reach the local farm to school meal goal of thirty percent of food served in the school to consist of locally sourced products by 2030; and
- (2) A plant-based meal pilot program at Mililani High School no later than the 2025-2026 school year.

Your Committee received testimony in support of this measure from the Department of Agriculture, Office of Hawaiian Affairs, County of Kaua'i Council Services Division, Hawai'i Public Health Institute, Hawai'i Farmers Union United, Hawai'i Reef and Ocean Coalition, Climate Protectors Hawai'i, Hawaii Food+ Policy, Hawaii Chapter of 350.org, Homestead Agriculture Youth Council Molokai, Hawai'i Youth Food Council, Hawai'i Alliance for Progressive Action, Down to Earth, Center for Getting Things Started, and fifty-eight individuals.

Your Committee received comments on this measure from the Department of Education and one individual.

Your Committee finds that establishing a recognition program that incentivizes schools to plan for and meet the farm to school meals target goal as established by Act 175, Session Laws of Hawaii 2021, will ensure that the thirty percent of food served in public schools will consist of locally sourced products by 2030. Your Committee further finds that offering locally-sourced, plant-based meals in public schools not only encourages students to engage in healthy nutrition, but also cultivates a culture of environmental awareness. This measure supports an increased consumption of fresh fruits and vegetables by Hawaii's students, and therefore, the production of these fresh local agricultural products and local value-added processed, agricultural, or food products by local farmers and food businesses.

Accordingly, your Committee has amended this measure by:

- (1) Requiring, rather than authorizing, the Department of Education to establish a recognition program to incentivize schools to submit to the Department a plan for the school to reach the Local Farm to School Meal goal by 2030;
- (2) Inserting language to allow the Department to receive private funding for the recognition program;
- (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 Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2083, H.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2083, H.D. 3, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3264 (Majority) Government Operations on H.B. No. 1946

The purpose and intent of this measure is to:

- (1) Establish a three-year pilot program within the Office of the Governor for an Office of Process Improvement to conduct process and efficiency evaluations of various state offices and agencies and make recommendations for process improvement, beginning with the hiring practices of the Department of Human Services;
- (2) Require the Office of the Governor to submit a report to the Legislature no later than twenty days before the Regular Session of 2027; and
- (3) Appropriate an unspecified amount of funds to the Office of the Governor for the establishment and operation of the Office of Process Improvement Pilot Program, including the hiring of an unspecified number of full-time equivalent positions.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that there is a significant number of public positions that are vacant within the State. Your Committee believes that evaluating existing processes, including hiring practices, of state offices and agencies is the first step to improving the efficiency of these offices and agencies to better serve the public. According to testimony received by your Committee, allowing departments to pilot innovative hiring practices while adhering to merit principles can help create a learning organization culture and may augment a centralized process improvement effort. This measure will allow the Legislature to make an informed decision on implementing policies to improve the efficiency of existing processes to better serve the public.

Accordingly, your Committee has amended this measure by:

- (1) Placing the three-year pilot program within the Department of Health, instead of the Office of the Governor;

- (2) Narrowing the scope of the pilot program to focus on hiring process improvement that innovates with efficiencies intended to streamline and shorten the hiring process and to make recommendations; and
- (3) Adding provisions that require the hiring process improvement pilot program to:
 - (A) Recruit, both internally and externally, for classifications within the Department, including external recruitment postings;
 - (B) Conduct interviews and rank-order the applicants; and
 - (C) Send the selected candidates to the Department of Health's Human Resources Office for further review;
- (4) Requiring the Department of Health, rather than the Office of the Governor, to submit a report to the Legislature before the Regular Session of 2027;
- (5) Inserting an effective date of July 1, 2491, 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 H.B. No. 1946, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1946, 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. 3265 Government Operations on H.B. No. 2070

The purpose and intent of this measure is to require cash or protest bonds paid or filed by parties initiating an administrative appeal for protests of solicitations or award of contracts under the Hawaii Public Procurement Code to be returned to the initiating parties, minus administrative costs as determined by the Office of Administrative Hearings of the Department of Commerce and Consumer Affairs, except in cases where the initiating party does not prevail in the administrative hearing or the appeal was frivolous or made in bad faith.

Your Committee received testimony in support of this measure from Subcontractors Association of Hawaii; Hawaii Operating Engineers Industry Stabilization Fund Political Action Committee; Jas W. Glover, Ltd.; Moss; Nordic PCL Construction, Inc.; General Contractors Association of Hawaii; King & Neel Pacific, Inc.; S & M Sakamoto, Inc.; Ralph S. Inouye Co. Ltd.; and Alan Shintani, Inc.

Your Committee finds that Hawaii is the only state that does not return a cash or protest bond that is required to be paid or filed by a party initiating an administrative appeal for procurement actions when the party prevails on its protest. This measure allows recovery of those costs by the prevailing parties while deterring frivolous and bad faith appeals and covering the administrative costs of the Office of Administrative Hearings of the Department of Commerce and Consumer Affairs.

Your Committee has amended this measure by inserting an effective date of July 1, 2024.

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. 2070, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2070, 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. 3266 Government Operations on H.B. No. 2480

The purpose and intent of this measure is to:

- (1) Require the Office of the Lieutenant Governor to set a fee for the issuance of an apostille or a non—apostille certification; and
- (2) Establish and appropriate funds into and out of the Apostilles and Certifications Special Fund.

Your Committee received testimony in support of this measure from the Office of the Lieutenant Governor.

Your Committee finds that apostilles are critical to authenticate and certify documents, such as birth and marriage certificates, divorce decrees, powers of attorney, and un-probated wills, for use in foreign countries. Your Committee notes that the Office of the Lieutenant Governor processes nearly eleven thousand apostilles annually and it is currently unable to accept credit card or web-based payment to authenticate documents. The office also shoulders the cost of mailing back documents to the applicants if there are errors, or if applicants are living abroad and are unable to purchase U.S. postage for a self-addressed stamped envelope for the office to use. This measure will promote efficiency by providing a funding mechanism for the Office of the Lieutenant Governor to fund operational and administrative expenses of the apostille and certification of document services, including modernization of the process, postage, and supplies.

Your Committee has amended this measure by inserting an effective date of July 1, 2491, 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. 2480, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2480, 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. 3267 Government Operations on H.B. No. 2496

The purpose and intent of this measure is to:

- (1) Authorize an alternative procurement method when the federal government provides for or approves the method and the head of the purchasing agency makes a written determination that it is neither practicable nor advantageous to use the existing statutory procurement methods; and
- (2) Amend the methods of source selection under section 103D-301, Hawaii Revised Statutes (HRS), to allow for alternative procurement methods.

Your Committee received comments on this measure from the Department of Transportation and State Procurement Office.

Your Committee finds that the Hawaii Public Procurement Code was created to promote competition, prevent favoritism and corruption, and increase transparency in government, among other things. Under existing law, all public contracts must be awarded in accordance with certain methods of source selection established under section 103D-301, HRS. However, your Committee recognizes that there are situations that may arise that make it impracticable or disadvantageous for the purchasing agency to utilize any of the established methods of procurement for construction. This measure will allow the use of alternative procurement methods to eliminate or reduce added costs from change orders or limit the amount of change orders during the administration of contracts for unique, complex, or schedule-critical construction projects, resulting in substantial cost savings and other benefits to the State.

Your Committee notes the concerns raised in testimony that, although section 103D-102(b)(4), HRS, provides for situations when it is not practicable or not advantageous for purchasing agencies to utilize one of the six methods of procurement under section 103D-301, HRS, the statute only provides for the procurement of goods and services.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that exempts government contracts to procure certain construction projects from the Hawaii Public Procurement Code;
- (2) Inserting an effective date of July 1, 2491, 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 H.B. No. 2496, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2496, 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. 3268 Government Operations on H.B. No. 2238

The purpose and intent of this measure is to:

- (1) Reclassify certain non-general funds of the Department of Accounting and General Services, pursuant to the recommendations made by the Auditor in Auditor's Report No. 23-17; and
- (2) Transfer to the general fund the excess balances of various non-general funds from various state departments and agencies.

Your Committee received comments on this measure from the Department of Accounting and General Services and 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 Department of Accounting and General Services, Report No. 23-17 (Dec. 2023), recommended that that certain non-general funds and accounts of the Department of Accounting and General Services be abolished or reclassified because the fund or account no longer meets the definition of a revolving fund, trust account, or trust fund. This measure will abolish or reclassify these funds to achieve greater fiscal accountability in the Department of Accounting and General Services.

Your Committee notes that the excess balances of various non-general funds from various state departments and agencies have been transferred to the general fund in another measure that has already been received by the Governor.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have transferred to the general fund the excess balances of various non-general funds from various state departments and agencies;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of July 1, 2491, 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 H.B. No. 2238, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2238, 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. 3269 Government Operations on H.B. No. 2482

The purpose and intent of this measure is to repeal the statutory requirement for:

- (1) Boards to file a copy of the notice of any regular, special, emergency, rescheduled meeting, or any executive meeting when anticipated in advance, with the Office of the Lieutenant Governor or appropriate county clerk's office; and
- (2) The Office of the Lieutenant Governor or appropriate county clerk's office to timely post paper or electronic copies in a central location in a public building.

Your Committee received testimony in support of this measure from one individual.

Your Committee received testimony in opposition to this measure from the Big Island Press Club, Public First Law Center, All Hawaii News, and Albatross News.

Your Committee received comments on this measure from the Office of the Lieutenant Governor and Office of Information Practices.

Your Committee finds that section 92-7, Hawaii Revised Statutes, ensures that residents and interested parties have a variety of methods to view board and commission notices and agendas. Recognizing that Hawaii is a State comprised of islands with numerous geographical barriers and the increased security measures at the State Capitol and other government facilities, this measure increases efficiency and decreases paper usage, while ensuring public access to notices and agendas.

Your Committee acknowledges the concerns raised in testimony that some of the provisions of this measure may violate the Americans with Disabilities Act. Accordingly, this measure needs to be amended to address this issue.

Your Committee has amended this measure by:

- (1) Restoring language in existing statute that:
 - (A) Requires boards to file a copy of their notice of meeting with the Office of the Lieutenant Governor or the appropriate county clerk's office and retain a copy of proof of filing the notice; and
 - (B) Allows a copy of the notice of meeting to be provided to the Office of the Lieutenant Governor or the appropriate county clerk's office via electronic mail to an electronic mail address designated by the Office of the Lieutenant Governor or the appropriate county clerk's office, as applicable;
- (2) Inserting language that requires the Office of the Lieutenant Governor or the appropriate clerk's office to ensure access to paper or electronic copies of all meeting notices; 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. 2482, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2482, 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. 3270 Government Operations on H.B. No. 1598

The purpose and intent of this measure is to:

- (1) Require boards to make available for public inspection board packets, if created, at the time the board packet is distributed to the board members but no later than two business days, rather than forty-eight hours, before the board meeting; and
- (2) Carve out an exception to this requirement by allowing public testimony to be distributed to board members within two business days before the meeting.

Your Committee received testimony in support of this measure from the Society of Professional Journalists Hawaii Chapter and Public First Law Center.

Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that existing law requires a board packet, or materials compiled and distributed to board members before their use at a public meeting, to be distributed at least forty-eight hours prior to the meeting and be made available to the public at that same time. However, your Committee recognizes that since written public testimony is among the materials in a board packet, boards have resorted to using work-arounds when testimony is received within forty-eight hours before the public meeting to avoid violating this requirement. The clarifications in this measure will not only allow boards to distribute to their members written public testimony received within two business days before a public meeting without violating the Sunshine Law, but also assist government agencies and the public by allowing them time to review any distributed board packets for a meeting held a day or two after a weekend or holiday.

Your Committee has amended this measure by:

- (1) Inserting language that requires boards to:

- (A) Include in the notice to persons requesting notification of meetings, a list of the documents that were compiled by the board and distributed to board members before a meeting for use at that meeting; and
- (B) Post board packets on its website;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Inserting an effective date of July 1, 2491, 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. 1598, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1598, 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. 3271 Government Operations on H.B. No. 1599

The purpose and intent of this measure is to:

- (1) Require public meeting notices to inform members of the public on how to provide remote oral testimony in a manner that allows the testifier, upon request, to be visible to board members and other meeting participants; and
- (2) Recognize a board's authority to remove or block individuals who willfully disrupt or compromise the conduct of a remote meeting.

Your Committee received testimony in support of this measure from the Hawaii Employer-Union Health Benefits Trust Fund, ACLU of Hawai'i, and Public First Law Center.

Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that some boards refuse to allow individuals to testify by videoconference without giving up certain rights, such as disclosing their identity or registering to appear in advance. Existing law concerning remote meetings permits these practices, provided that the meeting has a telephone conference option. According to testimony received by your Committee, this process establishes a tiered system that denies remote testifiers the opportunity to be seen by the board while testifying. Your Committee additionally finds that although boards have the legal ability to remove someone who willfully disrupts a meeting by interactive conference technology, existing law does not explicitly affirm that legal authority. This measure will support the interest of boards to better control their remote meetings and promote confidence in remote testifiers that the board is receiving the full benefit of their testimony and they are not being ignored in favor of in-person testifiers.

Your Committee acknowledges the concerns raised by the Office of Information Practices that this measure may result in unintended consequences, since requiring boards to allow testifiers to be seen as well as heard upon the testifier's request decreases the ability of boards to prevent willful disruptions by interactive conference technology such as zoombombing. Your Committee finds that this issue raises concerns that merit further consideration and respectfully requests further examination of this issue by your Committee on Judiciary.

Your Committee has amended this measure by inserting an effective date of July 1, 2491, 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. 1599, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1599, 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. 3272 Government Operations on H.B. No. 1600

The purpose and intent of this measure is to require board meetings to deliberate and decision-make on an investigative group's report to occur at least six days after the board meeting in which the group has presented the findings and recommendations of its investigation to the board.

Your Committee received testimony in support of this measure from the Office of Information Practices, League of Women Voters, Public Law First Center, and one individual.

Your Committee finds that existing law permits a limited number of board members, or a permitted interaction group, to investigate certain issues without complying with the open meetings requirement of the Sunshine Law, and report back to the board before a public discussion occurs; provided that three separate public meetings occur: first, to identify the members of the investigatory permitted interaction group and scope of the group's authority; second, for the group to report its findings to the board; and third, for the board to discuss and act on the group's report. Your Committee further finds that on multiple occasions over the years, boards have tried to circumvent the legislative intent of this exception to the open meeting law, which is to provide the public and the board with sufficient time to digest the investigatory group's report before any substantive discussion, by scheduling the second and third meetings back-to-back. This measure promotes public access and informed decision-making, while preserving a board's ability to conduct board business through investigatory permitted interaction groups.

Your Committee notes that specifying that the third meeting must occur at least six business days rather than six calendar days after the second meeting would provide for uniformity and ensure full public disclosure before any action resulting from an investigation by a permitted interaction group can be taken.

Accordingly, your Committee has amended this measure by:

- (1) Specifying that board meetings to deliberate and decision-make on an investigatory group's report must occur at least six business days, rather than six calendar days, after the group has presented the findings and recommendations of its investigation to the board;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Inserting an effective date of July 1, 2491, 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. 1600, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1600, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3273 Government Operations on H.B. No. 2339

The purpose and intent of this measure is to:

- (1) Delete the term "enhanced" in reference to 911 services to allow funding of all 911 technologies; and
- (2) Allow the 911 Board to employ staff, in addition to the Executive Director, exempt from the civil service and collective bargaining laws.

Your Committee received testimony in support of this measure from State of Hawaii Enhanced 9-1-1 Board, Department of Accounting and General Services, Hawaii Office of Enterprise Technology Services, Public Utilities Commission, Honolulu Police Department City and County of Honolulu Department of Information and Technology, National Association of State 911 Administrators, and two individuals.

Your Committee finds that the term "enhanced" in existing law in reference to 911 services refers to a particular technology developed more than twenty years ago that allowed the display of the caller's telephone identification and location. Your Committee recognizes that since then, technology has evolved with improvements in services and changes in terminology, rendering the term "enhanced" outdated. However, existing statutory language identifies 911 services specifically as enhanced 911 services, thereby restricting funding solely for the outdated enhanced 911 services. By deleting the term "enhanced" from chapter 138, Hawaii Revised Statutes, regarding enhanced 911 services, this measure will allow the 911 Board to expend moneys to upgrade the State's system with the latest 911 technologies. This measure also allows for the conversion of existing staff positions of the 911 Board to permanent exempt positions, which is essential to ensure that long-term efforts to improve 911 services in the State are not hampered by turnover in leadership and support roles.

Your Committee notes that this measure does not include an appropriation section. However, to ensure the successful implementation of new 911 technologies for the safety and well-being of all residents and visitors of the State, your Committee respectfully requests your Committee on Ways and Means to raise the expenditure ceiling for the 911 fund to enable the 911 Board to accommodate the rising costs to sustain and maintain the State's current 911 system.

Accordingly, your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2491, 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 H.B. No. 2339, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2339, H.D. 1, 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. 3274 Government Operations on H.B. No. 2524

The purpose and intent of this measure is to require:

- (1) The Real Estate Commission (Commission) to receive and investigate complaints by condominium unit owners against associations that are subject to condominium laws; and
- (2) The Ombudsman to issue findings within an unspecified number of days after a complaint is filed with the Ombudsman against the Commission regarding the Commission's duties.

Your Committee received testimony in support of this measure from eight individuals.

Your Committee received testimony in opposition to this measure from the Hawai'i Real Estate Commission; Honolulu Tower Association of Apartment Owners; Law Offices of Mark K. McKellar, LLLC; and fifteen individuals.

Your Committee received comments on this measure from the Office of the Ombudsman and four individuals.

Your Committee finds that there needs to be stronger oversight on homeowner associations in the State. According to testimony received by your Committee, a neutral third-party is necessary to oversee and enforce complaints by condominium unit owners against their homeowner association. This measure will ensure that the complaints by condominium unit owners against associations are properly investigated and resolved in a timely manner.

Your Committee has amended this measure by:

- (1) Attaching a condominium ombudsman to the Real Estate Commission to receive and investigate complaints by condominium unit owners against associations that are subject to condominium laws;
- (2) Specifying that findings be issued within thirty days after a complaint is filed against the Commission regarding the Commission's duties;
- (3) Inserting language that prevents a simple majority from immediately removing a director elected by cumulative voting;
- (4) Inserting an effective date of July 1, 2491, 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 Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2524, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2524, 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; Ayes with Reservations (San Buenaventura). Noes, none. Excused, none.

SCRep. 3275 Government Operations on H.B. No. 1597

The purpose and intent of this measure is to better align the enforcement mechanisms for the State's open meetings law with the State's Uniform Information Practice Act specifically to:

- (1) Provide that any person may sue a board or alleged board after receiving an adverse decision by the Office of Information Practices (Office) relating to violations of the State's open meetings law, and that the decision will be reviewed de novo;
- (2) Establish a two-year statute of limitations to bring the lawsuit and reaffirm the person's right to seek review by the Office first;
- (3) Recognize that only a member of the public may recover attorney's fees and costs if that person prevails on such action, consistent with the Hawaii Supreme Court's observations in *Kahana Sunset Owners Ass'n v. Maui Cnty. Council*, 86 Hawaii 132 (1997);
- (4) Require that a person bringing the lawsuit notify the Office about the action so that it may decide whether to intervene; and
- (5) Require lawsuits that seek to void a board's final action to be prioritized by the courts.

Your Committee received testimony in support of this measure from the Office of Information Practices, Public First Law Center, Society of Professional Journalists Hawaii Chapter, and one individual.

Your Committee finds that existing law does not provide a specific right of action to challenge decisions of the Office of Information Practices relating to the State's open meetings law. This measure will not only promote compliance with the State's open meetings law, but also prevent the courts from giving deference to erroneous decisions and opinions by the Office of Information Practices.

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 Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1597, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1597, 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 (McKelvey).

SCRep. 3276 Government Operations on H.B. No. 2069

The purpose and intent of this measure is to allow the Department of Accounting and General Services to employ persons within the comptroller's office who are exempt from State laws that govern civil service and collective bargaining, that support communications, change management, and business process improvement programs as part of the State's information technology modernization efforts.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services.

Your Committee finds that the Department of Accounting and General Services needs the capacity to expedite the hiring of highly skilled personnel for certain unique and specialized positions in order to proceed with the State's information technology modernization efforts. According to testimony received by your Committee, the types of positions required to support the execution of specialized projects to modernize the State's information technology system do not exist in the current civil service system. This measure will allow the Department to effectively respond to the new and growing needs of the agencies they support and the public it serves, while also increasing its long-term capabilities to effectively carry out its many critical state functions.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2024; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2069, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2069, 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 (McKelvey).

SCRep. 3277 (Joint) Government Operations and Water and Land on H.B. No. 2090

The purpose and intent of this measure is to:

- (1) Beginning on January 1, 2026, permit residential uses in areas zoned for commercial use, with certain exceptions; and
- (2) Require, no later than January 1, 2026, each county to adopt or amend its ordinances to allow for adaptive reuse of commercial buildings for residential purposes.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Housing Finance and Development Corporation, one member of the Kaua'i County Council, Hawai'i Association of REALTORS, NAIOP Hawaii, Building Industry Association of Hawaii, Housing Hawai'i's Future, Hawaii Applesed Center for Law and Economic Justice, Grassroot Institute of Hawaii, Hawai'i Island Chamber of Commerce, BOMA Hawai'i, Hawaii Zoning Atlas, and nine individuals.

Your Committees received testimony in opposition to this measure from the City and County of Honolulu Department of Planning and Permitting.

Your Committees received comments on this measure from the American Institute of Architects Hawaii State Council.

Your Committees find that the State is experiencing a chronic housing shortage. Your Committees further find that the adaptive reuse of commercial buildings that are underutilized due to market conditions or functional obsolescence for residential purposes is more-cost effective than the construction of new housing on undeveloped land. This measure seeks to efficiently increase the State's housing inventory to better meet local need by requiring the counties to relax regulatory land use restrictions in areas zoned for commercial use, including allowing for the adaptive reuse of existing commercial buildings.

According to testimony received by your Committees, because the provisions of this measure do not allow for adaptive reuse until after January 1, 2026, existing projects in areas zoned for commercial use that are currently going through the permitting and development process would not be able to practice adaptive reuse to increase the State's housing inventory. Accordingly, this measure needs to be amended to address this matter.

Your Committees have amended this measure by:

- (1) Accelerating the date for the counties to permit residential uses in areas zoned for commercial use, with certain exceptions, and to allow for residential use of commercial buildings for residential purposes, from January 1, 2026, to January 1, 2025;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Inserting an effective date of July 1, 2491, to encourage further discussion.

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 H.B. No. 2090, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2090, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
Government Operations: Ayes, 5. Noes, none. Excused, none.
Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3278 (Joint) Energy, Economic Development, and Tourism and Water and Land on H.B. No. 2020

The purpose and intent of this measure is to expand the definition of "renewable energy producer" that is used to determine the Board of Land and Natural Resources' disposition of public lands to renewable energy producers.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Public Utilities Commission, Hawaii State Energy Office, Hawai'i Forest Industry Association, Hawai'i Gas, Kaua'i Island Utility Cooperative, and three individuals.

Your Committees received testimony in opposition to this measure from 350Hawaii.org and one individual.

Your Committees received comments on this measure from Hawaiian Electric.

Your Committees find that greenhouse gas emissions are not just the result of electricity generation. The transportation and aviation sectors, which also utilize fossil fuels, greatly contribute to greenhouse gas emissions in the State. Your Committees further find that with the advancement of various technologies, there are now more renewable fuel options available to help facilitate the replacement of fossil fuels and mitigate carbon emissions, including those produced by transportation and aviation. This measure broadens the definition of "renewable energy producer" to allow more public lands to be leased for the generation of more types of renewable energy to help the State reach its sustainability goals.

Your Committees have amended this measure by:

- (1) Clarifying that nothing in the definition of "renewable energy producer" shall be construed to allow wheeling over public utility lines or infrastructure that is not authorized by law or rule or order of the Public Utilities Commission;

- (2) Inserting an effective date of January 1, 2060, 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 Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2020, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2020, H.D. 2, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

Water and Land: Ayes, 5; Ayes with Reservations (McKelvey). Noes, none. Excused, none.

SCRep. 3279 (Joint) Hawaiian Affairs and Water and Land on H.B. No. 2029

The purpose and intent of this measure is to allow the Department of Hawaiian Home Lands to assume review of the effect of any proposed project on historic properties or burial sites for lands under its jurisdiction.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands, Department of Land and Natural Resources, and one individual.

Your Committees received testimony in opposition to this measure from Historic Hawai'i Foundation.

Your Committees find that before developing any land under its jurisdiction on which historic properties or burial sites are located, the Department of Hawaiian Home Lands is required to consult with the Department of Land and Natural Resources. While the review process is an important safeguard that ensures the preservation of historic properties and cultural resources, it also delays projects that would provide housing for native Hawaiian beneficiaries of the Department of Hawaiian Home Lands. This measure allows the Department of Hawaiian Home Lands to assume the review process of proposed projects on its lands, expediting the development of these projects.

Your Committees have amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2029, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2029, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Hawaiian Affairs: Ayes, 5; Ayes with Reservations (Ihara). Noes, none. Excused, none.

Water and Land: Ayes, 3; Ayes with Reservations (Elefante). Noes, none. Excused, 2 (Chang, McKelvey).

SCRep. 3280 (Joint) Public Safety and Intergovernmental and Military Affairs and Water and Land on H.B. No. 2174

The purpose and intent of this measure is to:

- (1) Repeal the existing conditions under which government entities may seek reimbursement for search or rescue expenses and instead require a government entity of the State to impose and collect a fee for search or rescue expenses for persons who require rescue after leaving a hiking trail to enter an area closed to the public or hiking on a trail closed to the public, with a sign giving notice of the closure; and
- (2) Require a report or documentation of the search and rescue to be submitted to the Department of the Attorney General.

Your Committees received testimony in support of this measure from the Department of Law Enforcement and four individuals.

Your Committees find that search and rescue operations for hikers who go on illegal or prohibited hikes cost the State and counties thousands of dollars per incident. Your Committees further find that as more people are participating in outdoor activities in recent years, the number of emergency rescue calls has also increased. Your Committees recognize that search and rescue operations are dangerous for first responders and taxing on state resources. This measure will allow the State and counties to seek reimbursement for these rescues from hikers who knowingly proceed on illegal hikes.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2042, 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 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. 2174, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2174, H.D. 2, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 3281 Health and Human Services on H.B. No. 2042

The purpose and intent of this measure is to provide funding to the Child and Adolescent Mental Health Division of the Department of Health to contract for the provision of youth mental health and wellness services to address the mental health and wellness needs of youth in the State.

Your Committee received testimony in support of this measure from the Office of Youth Services, Office of Hawaiian Affairs, YMCA of Honolulu, Mental Health America of Hawai'i, Hawai'i Youth Services Network, Hawaii Substance Abuse Coalition, Democratic Party of Hawai'i, Opportunity Youth Action Hawai'i, and six individuals.

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

Your Committee finds that in the wake of the coronavirus disease 2019 pandemic and the August 2023 Maui wildfires, the State's youth face mental health challenges in more significant numbers than in years past, with depression, substance abuse, and suicidal ideation being top issues. Your Committee additionally finds that providing community-based and culturally relevant programs that address the wellness and mental health for the State's youth, especially for ones who are high-risk, including Native Hawaiians, Pacific Islanders, LGBTQ+, and those who are houseless, can promote resilience to better withstand stresses later in life. This measure will ensure that the State's youth are provided with the necessary tools to take care of their mental health and well-being in the face of adversity and develop into healthy members of their communities.

Your Committee notes the concerns raised in the testimony of the Department of Health that the contracts for services pursuant to this measure should be awarded through a competitive process, as required by the State's procurement laws. Your Committee finds that this issue raises concerns that merit further consideration, and therefore, should your Committee on Ways and Means choose to deliberate on this measure, respectfully requests further examination on this matter.

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. 2042, 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 (Awa).

SCRep. 3282 (Joint/Majority) Government Operations and Energy, Economic Development, and Tourism on H.B. No. 1829

The purpose and intent of this measure is to:

- (1) Require, beginning July 1, 2024, the design of all new state building construction where parking is included to provide that at least twenty-five percent of parking stalls 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 prioritize retrofitting certain state facilities that include parking to include electric vehicle charging infrastructure;
- (3) Establish a goal of the State to retrofit state facilities to be electric vehicle charger-ready; and
- (4) Appropriate an unspecified amount of funds to the Department of Accounting and General Services to conduct detailed cost assessments to determine the cost to install, or contract for the installation of, retrofits and electric vehicle charging systems at certain state facilities.

Your Committees received testimony in support of this measure from the Hawai'i State Energy Office, Department of Accounting and General Services, Hawai'i Climate Change Mitigation and Adaptation Commission, Hawaiian Electric, Ulupono Initiative, Blue Planet, Alliance for Automotive Innovation, Oahu Metropolitan Planning Organization, Hawaii Chapter of 350.org, Climate Protectors Hawai'i, Hawaii Electric Vehicle Association, Kauai Climate ACTION Coalition, and ten individuals.

Your Committees received testimony in opposition to this measure from two individuals.

Your Committees find that there is a continuous need for a network of charging infrastructure to support the growing number of electric vehicles in the State. Your Committees further find that the State should lead by example by expanding workplace charging availability in state facilities. This measure supports increasing electric vehicle use, which reduces carbon emissions from ground transportation and helps to achieve the State's goals of reducing carbon emissions to fifty percent by 2030 and establishing a net-negative carbon economy by 2045.

Your Committees have amended this measure by:

- (1) Removing the Department of Transportation from the list of agencies that the Hawaii State Energy Office is required to consult with to survey and prioritize retrofitting certain state facilities that include parking to include electric vehicle charging infrastructure;
- (2) Inserting an effective date of July 1, 2491, 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 Government Operations and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1829, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1829, 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.
Government Operations: Ayes, 4. Noes, 1 (Awa). Excused, none.
Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Kim).

SCRep. 3283 Judiciary on H.B. No. 1911

The purpose and intent of this measure is to appropriate moneys for the Judiciary through the fiscal year ending June 30, 2025.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii State Bar Association, and one individual.

Your Committee finds that the Court Operations Specialist position has been vacant for more than a year and few individuals have applied for the position due to its temporary nature. Your Committee believes that converting the position from temporary to permanent will assist with employee recruitment and retention.

Your Committee further finds that responses to a request for proposals to provide the Judiciary's new accounting system have included prices significantly higher than \$600,000, which was the amount originally anticipated. Accordingly, due to statewide budgetary challenges and uncertainty, your Committee feels that lapsing \$600,000, instead of the \$425,000 amount specified to be lapsed in the measure, is appropriate.

Your Committee also finds that the appropriation of \$7,000,000 of general obligation bond funds for lump sum capital improvement projects for Judiciary facilities will not adequately support the Judiciary's needs for maintenance and upkeep of its facilities. Accordingly, your Committee believes that this appropriation should be made from general funds.

Your Committee has amended this measure by:

- (1) Adding one permanent position in JUD101 - Courts of Appeal for the conversion of a temporary Court Operations Specialist to a permanent Court Operations Specialist;
- (2) Increasing by \$205,000 the general fund appropriation for JUD350 - Fifth Judicial Circuit to restore funding for a District Family Court Judge position, which is currently funded by moneys budgeted for salaries for positions that remain vacant;
- (3) Increasing by \$137,000 the general fund appropriation for JUD601 - Administration to establish reoccurring funding for the 'Ōlelo Hawai'i Program;
- (4) Deleting the forced lapse of \$425,000 in lump sum general funds for capital improvement projects and replacing that forced lapse amount with the \$600,000 presently appropriated for the projected cost of a new accounting system that the Judiciary is expected to defer;
- (5) Changing the method of financing for lump sum capital improvement projects for statewide Judiciary facilities from general obligation bond funds to general funds; and
- (6) Changing the effective date to 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. 1911, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1911, 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 (Awa).

SCRep. 3284 Judiciary on H.B. No. 2802

The purpose and intent of this measure is to propose a constitutional amendment to repeal the Legislature's authority to limit marriage to opposite-sex couples.

Your Committee received testimony in support of this measure from one member of Hawai'i's congressional delegation; one member of California's congressional delegation; Office of the Governor; Hawai'i Civil Rights Commission; Office of the Mayor of the City and County of Honolulu; one member of the Honolulu City Council; Hawai'i Health and Harm Reduction Center; Stonewall Caucus of the Democratic Party of Hawai'i; Hawaii State Teachers Association; Democratic Party of Hawai'i; ACLU of Hawai'i; Papa Ola Lokahi; Change 23 Coalition; Hawai'i State Commission on Fatherhood; American Association of University Women of Hawaii; Hawaii State AFL-CIO; Chamber of Sustainable Commerce; Indivisible Hawaii; Rainbow Family 808; Episcopal Diocese of Hawai'i; Scarlet Honolulu; Spill the Tea Cafe; Hawaiian Ethos; IATSE Local 655; Kumukahi Health + Wellness; Japanese American Citizens League; Hawaii Ports Maritime Council; Aloha Green Apothecary; Interfaith Alliance Hawai'i; Love Sandwich, LLC; Qwaves; Planned Parenthood Alliance Advocates; and one hundred sixty-six individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that in 1993, the Hawaii Supreme Court ruled it was sex discrimination under the Hawaii State Constitution's bill of rights to deny same-sex couples marriage licenses unless the State could demonstrate a compelling state interest to justify its discrimination against the couples. Following a two week trial under Judge Kevin Chang with testimony from national and local experts in psychiatry, psychology, sociology, and pediatrics, the State failed to prove a compelling state interest to justify the discrimination in denying marriage licenses to same-sex couples. However, severe public backlash to the ruling led to article 1, section 23, of the Hawaii State Constitution being proposed by the Legislature in 1997, despite comprehensive findings and the overwhelming evidence at trial demonstrating that marriage would benefit the families of same-sex couples and have no adverse impact on the families of opposite-sex couples. The proposed constitutional amendment appeared on the ballot in 1998 as Constitutional Amendment 2 and was approved by the State's voters by a vote of 69.2 percent to 28.6 percent.

Since then, public opinion has changed from opposition to support of same-sex marriage, with same-sex marriage currently existing in all fifty states and over thirty countries. In 2013, the Legislature enacted a law allowing same-sex couples to marry in the State, with Hawai'i being the fifteenth state at the time to do so. At the federal level, the United States Supreme Court recognized same-sex couples' right to marry in *Obergefell v. Hodges*, 576 U.S. 644 (2015), and most recently Congress enacted the Respect for Marriage Act in 2022, requiring federal, state, and local governments to recognize and respect same-sex marriage.

Your Committee further finds that article 1, section 23, of the Hawaii State Constitution is the only provision in the Hawaii State Constitution's bill of rights designed and adopted to target and discriminate against a minority of the State's population, in this case members of the LGBTQ community. Additionally, it is directly contrary to the ruling of the United States Supreme Court in

Obergefell. Your Committee believes that it is imperative to remove a discriminatory provision from the State's bill of rights. This measure will allow the people of Hawai'i to undo a wrong done nearly thirty years ago and ensure that marriage equality is protected in the State.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2802, 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 (Gabbard). Noes, none. Excused, 1 (Awa).

SCRep. 3285 Higher Education on H.B. No. 1826

The purpose and intent of this measure is to appropriate funds for temporary positions to support the statewide expansion of the University of Hawaii Windward Community College's mental health-related programs.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Department of Health, State Council on Mental Health, University of Hawaii Professional Assembly, Mental Health America of Hawai'i, Hawai'i Psychological Association, and one individual.

Your Committee finds that the State is experiencing a severe shortage of mental health service providers, which has been exacerbated by compassion fatigue, burnout, and inadequate preparation for the provision of mental health services. To address the ongoing shortage, the University of Hawaii Windward Community College, in collaboration with the Hawaii State Hospital, has developed an entry-level mental health technician certificate of competence program, where students can take additional coursework to earn a certificate of achievement that can be applied to a bachelor's degree pathway. Windward Community College is also actively planning a fall cohort for police officers in the Honolulu Police Department and has plans for an additional program for adult corrections officers focusing on trauma informed care. Accordingly, this measure seeks to address the State's shortage of mental health service providers while offering Hawai'i's people with high quality postsecondary educational opportunities.

Your Committee notes that this measure contains an unspecified appropriation amount for the establishment of a scholarship program to support the mental health technician certificate. However, no testimony explaining the details of the scholarship program was altered at the public hearing on this measure. Accordingly, your Committee was unable to determine the need and cost for the program. Therefore, further deliberation and consideration is needed regarding the fiscal implications of the program as this measure continues through the legislative process.

Further, your Committee notes the testimony of the University of Hawaii System regarding employment rates for graduates of the mental health technician certificate program. Out of forty-seven graduates, nineteen students were employed at the Hawaii State Hospital. However, the testimony provided was unclear regarding the current employment status for the other twenty-eight graduates of the program. As the employment status for these graduates is unclear, your Committee questions the current need to expand the mental health technician program at this time. Therefore, your Committee requests further information from the University of Hawaii for your subsequent committees to consider regarding the employment status of the other twenty-eight graduates should they choose to deliberate on this measure.

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. 1826, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1826, 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. 3286 Commerce and Consumer Protection on H.B. No. 2481

The purpose and intent of this measure is to repeal chapter 503B, Hawaii Revised Statutes, governing Time Share Commissioners of Deeds.

Your Committee received testimony in support of this measure from the Office of the Lieutenant Governor.

Your Committee finds that Act 277, Session Laws of Hawaii 2013, created the Time Share Commissioners of Deeds (codified as chapter 503B, Hawaii Revised Statutes), to increase efficiency and convenience for foreign buyers that purchase Hawaii time share properties and to boost the State's tourism industry. The Time Share Commissioners of Deeds were to be appointed by the Lieutenant Governor to administer oaths and take acknowledgements and proofs of deeds and other instruments used in connection with the recordation of time share interests in Hawaii. However, your Committee finds that Act 54, Session Laws of Hawaii 2020, updated certain laws relating to notaries public and added a new section for notarial acts performed for remotely located individuals, such as foreign buyers of Hawaii time share properties, and has therefore made the Time Share Commissioners of Deeds unnecessary. Accordingly, this measure repeals the state law governing Time Share Commissioners of Deeds, to eliminate the statutory redundancy.

Your Committee has amended this measure by inserting an effective date of July 1, 2040, 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. 2481, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2481, 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 (Awa).

SCRep. 3287 Commerce and Consumer Protection on H.B. No. 2388

The purpose and intent of this measure is to align Hawaii with the Model Money Transmitters Modernization Act and to:

- (1) Provide clarity and consistency of the tangible net worth provision for money transmitter licensees using nationwide standards;
- (2) Assess the initial license fee of \$5,000 for money transmitter applicants upon approval of the license application; and
- (3) Add as a permissible investment the receivables due to the licensee from its payment processors for debit or credit card transactions authorized by the licensee's customers for many transmission services obtained from the licensee.

Your Committee received testimony in support of this measure from the Division of Financial Institutions of the Department of Commerce and Consumer Affairs.

Your Committee finds that Act 108, Session Laws of Hawaii 2021, amended Hawaii's money transmitters law (codified in chapter 489D, Hawaii Revised Statutes) to, among other things, adopt and incorporate certain definitions of key terms provided in the Conference of State Bank Supervisors' Model Money Transmitters Modernization Act (MTMA) to ensure that Hawaii can effectively license, regulate, and supervise nationally and globally operating money transmission companies without unnecessarily impacting money transmission businesses that operate regionally or in a single state. This measure makes further technical amendments to continue the alignment of Hawaii's money transmitter law with the provisions of the MTMA, thereby enabling Hawaii to more easily and efficiently work within the collaborative and uniform set of nationwide standards for money transmission supervision.

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. 2388, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2388, 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. 3288 Commerce and Consumer Protection on H.B. No. 2653

The purpose and intent of this measure is to:

- (1) Conform Hawaii estate tax laws to the operative provisions of the Internal Revenue Code to decrease the burden on taxpayers and increase efficiencies in the Department of Taxation's monitoring and auditing of estate tax returns; and
- (2) Establish an estate tax deduction for the value of closely held business interests that will help ensure that locally-owned family businesses can continue to contribute to the Hawaii economy and assist families to retain the ownership interest in their family businesses.

Your Committee received testimony in support of this measure from ABC Stores; Foodland Supermarket, Ltd.; Zippy's Restaurants; KTA Super Stores; Watumull Brothers, Ltd.; Servco Pacific Inc.; Business Strategies; Finance Enterprises, Ltd.; Stanford Carr Development, LLC; Grassroot Institute of Hawaii; Altres, Inc.; Island Insurance Companies; Title Guaranty of Hawai'i; L&L Hawaiian Barbeque; City Mill; Avalon Group; House of Finance; Big Island Subaru; Big Island Toyota; Tori Richard; HPM Building Supply; Business Consulting Resources; ProService; Y. Hata; Honolulu Disposal Service; Liliha Bakery; Yummy Restaurant Group; Finance Factors; Loyalty Enterprises; Hawaii National Bank; MacNaughton; Tony Group; MW Group; Hawaii Self Storage; Plaza Assisted Living; Continental Assets Management; Kualoa Ranch; JN Group; Chaney Brooks; Aloha Beer; Foodland; Watumull Properties Corp.; C.S. Wo; Homeworld; and two individuals.

Your Committee received testimony in opposition to this measure from the Democratic Party of Hawai'i, League of Women Voters of Hawaii, Hawaii Appleseed Center for Law and Economic Justice, Americans for Democratic Action, Hawai'i Alliance for Progressive Action, Hawai'i Children's Action Network Speaks!, and sixteen individuals.

Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the Hawaii estate tax exclusion amount, which is currently much lower than the federal amount, has been a burden to many local family businesses that tend to have large portions of their estate values held in non-liquid assets. Members of a family-owned business will often appear to have highly valuable individual estates on paper solely because of their ownership interests in the business, which, as an entity, holds assets such as goods, equipment, or commercial properties. However, these assets are often necessary for the business to operate as a going concern and cannot easily be sold without adverse consequences to the family-owned business. Your Committee finds that local small businesses are fundamental to the health of the local economy and that it is necessary for the State to take measures to ensure that an untimely death of a business owner does not lead to the closing of another treasured local establishment. Therefore, this measure aligns the state and federal exclusion amounts for estate taxes and establishes an estate tax deduction for certain closely held family businesses.

Your Committee has amended this measure by:

- (1) Clarifying that for a decedent's estate to be allowed an estate tax deduction for the value of any qualified family-owned business interest that the decedent held at the time of death, the interest in the closely held business must have been owned by the decedent, not the decedent's qualified heir;
- (2) Clarifying that if a decedent or qualified heir of the business interest, rather than just the decedent, had a material participation in the trade or business for at least five of the eight years preceding the date of death, then that interest in a closely held

business may be deemed a “qualified family-owned business interest” eligible for the estate tax deduction, subject to the remaining definitional requirements;

- (3) Inserting a definition of “qualified heir” to have the same meaning as defined in section 2032A(e)(1) of the Internal Revenue Code of 1986, as amended;
- (4) Extending the implementation of the measure by one year, from decedents dying or taxable transfers occurring after December 31, 2023, to decedents dying or taxable transfers occurring after December 31, 2024; 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. 2653, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2653, 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 (McKelvey). Noes, none. Excused, 1 (Awa).

SCRep. 3289 Commerce and Consumer Protection on H.B. No. 1565

The purpose and intent of this measure is to exclude a homeowner-developer from the annual requirement to file a developer’s report and pay a fee if the homeowner’s development consists of not more than two units, one in which the developer resides and one for which the initial sale of the other unit has been completed.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawaii First Realty LLC, Palehua Townhouse Association, and one individual.

Your Committee finds that the existing law governing condominiums characterizes a homeowner-developer who subdivides their property into two units under a condominium property regime for the purpose of living in one unit and renting out the other, as a developer of a condominium project. Further, a homeowner-developer in this situation is required to file an annual report and pay an annual fee until all units in the two-unit development have been sold, essentially subjecting them to a fee in perpetuity, as the homeowner-developer typically does not intend to sell the unit they are living in. Your Committee finds that, in these specific situations, the existing annual filing and fee requirements unduly burden homeowner-developers, and therefore this measure provides these specific homeowner-developers with much needed relief.

Your Committee has amended this measure by inserting an effective date of July 1, 2040, 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. 1565, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1565, 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. 3290 Commerce and Consumer Protection on H.B. No. 1814

The purpose and intent of this measure is to:

- (1) Require and appropriate funds for the Legislative Reference Bureau to conduct a study on how certain other states approach certain subjects as they relate to condominiums; and
- (2) Extend the final report deadline and dissolution date of the Condominium Property Regime Task Force established pursuant to Act 189, Session Laws of Hawaii 2023, to June 30, 2026.

Your Committee received testimony in support of this measure from the Community Associations Institute, AARP Hawai‘i, Hawaii First Realty LLC, Palehua Townhouse, Honolulu Tower AOA, and eight 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, Kokua Council, and one individual.

Your Committee finds that Act 189, Session Laws of Hawaii 2023, established a Condominium Property Regime Task Force to examine and evaluate certain issues regarding condominium property regimes and to conduct an assessment of the existing alternative dispute resolution systems that were established by the Legislature. On December 15, 2023, the Condominium Property Regime Task Force submitted its interim report to the Legislature, which requested the Legislature to task the Legislative Reference Bureau with studying and reporting on several specific subjects relating to condominium property regimes that would enable the Task Force to thereafter recommend legislation suitable to Hawaii’s needs on an informed and objective basis. Therefore, this measure requires the Legislative Reference Bureau to complete the requested study and provides additional time for the Task Force to complete its work based on the Legislative Reference Bureau’s future findings and recommendations.

Your Committee has amended this measure by:

- (1) Inserting language to require the Legislative Reference Bureau to also include in its study and report an analysis of approaches employed by certain other states regarding limitations on the total and final legal fees in excess of the original debt amount sought that an association can access, demand, or seek reimbursement for from a unit owner; and
- (2) Making 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. 1814, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1814, 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. 3291 (Joint/Majority) Agriculture and Environment and Commerce and Consumer Protection on H.B. No. 1527

The purpose and intent of this measure is to:

- (1) Amend the exemption for the unlicensed practice of veterinary medicine by animal owners and their employees to prohibit any persons who are not licensed to practice veterinary medicine from performing any surgical procedure on pet animals; and
- (2) Increase the penalties for violations of veterinary medicine licensing requirements.

Your Committees received testimony in support of this measure from the Animal Welfare Institute, Hawaiian Humane Society, Hawaii Veterinary Medical Association, Animal Rights Hawai'i, Bird and Bee Animal Sanctuary, Animal Interfaith Alliance in Britain, and eleven individuals.

Your Committees received comments on this measure from the Department of Agriculture; Hawaii Board of Veterinary Medicine; and Hawaii Cattlemen's Council, Inc.

Your Committees find that there is a need for more explicit laws to protect pet animals from significant harm caused by veterinary procedures performed by unlicensed individuals. Your Committees recognize that existing statute contains a loophole that allows animal owners and employees of animal owners who are unlicensed to perform surgical procedures on these animals. This measure specifically protects pet animals and deters unlicensed individuals from performing veterinary procedures on animals.

Your Committees further recognize that surgical procedures require proper training, knowledge of anatomy, and the ability to prescribe proper pain management therapeutics, which the typical pet owner or their employees would have not received or been able to receive. Your Committees acknowledge the testimony from the Hawaii Veterinary Medical Association stating that this measure would not allow non-veterinarians to perform currently acceptable livestock animal husbandry practices in the State.

Your Committees have amended this measure by:

- (1) Deleting language that exempts "cropping and docking as customarily practiced" as an offense of cruelty to animals in the first degree;
- (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 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. 1527, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1527, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
Agriculture and Environment: Ayes, 3; Ayes with Reservations (DeCoite, Richards). Noes, 1 (Awa). Excused, 1 (Rhoads).
Commerce and Consumer Protection: Ayes, 4; Ayes with Reservations (McKelvey, Richards). Noes, 1 (Awa). Excused, none.

SCRep. 3292 (Joint) Commerce and Consumer Protection and Energy, Economic Development, and Tourism and Government Operations on H.B. No. 1838

The purpose and intent of this measure is to allow counties to enact a zoning ordinance to amortize or phase out nonconforming single-family transient vacation rental units over a reasonable period of time.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs, Department of Planning and Permitting of the City and County of Honolulu, two members of the Kaua'i County Council, Hawai'i State Association of Counties, UNITE HERE Local 5, International Longshore and Warehouse Union Local 142, Hawai'i Hotel Alliance, Lāhainā Strong, Sierra Club of Hawai'i, Kohala Coast Resort Association, Housing Hawai'i's Future, Green Party of Hawai'i, Keep it Kailua, Mauka Makai Activities LLC, Hawaii's Thousand Friends, Save Honolua Coalition, Tagnawa for Maui, Kaibigan ng Lāhaina, AF3IRM Hawai'i, and more than six hundred forty individuals.

Your Committees received testimony in opposition to this measure from the Hawai'i Association of REALTORS; Kama'āina Occupied Short-Term Rentals O'ahu; Honolulu Board of REALTORS; O'ahu Short Term Rentals Alliance; Realtors Association of Maui, Inc.; Hawai'i Mid and Short-Term Rental Alliance; Maui Vacation Rental Association; Hawaii First Realty LLC; Rental by Owner Awareness Association; Hawaii Legal Short Term Rental Alliance; Maui Chamber of Commerce; and more than two hundred individuals.

Your Committees received comments on this measure from the Grassroots Institute of Hawaii, Maui Hotel and Lodging Association, Avantstay, airbnb, and three individuals.

Your Committees find that short-term transient vacation rentals located in residential neighborhoods can dramatically alter the character and fabric of the area by attracting disruptive visitors and inflating local rental prices. While certain counties have sought to address this issue by enacting ordinances pursuant to their home rule authority relating to zoning, your Committees find that short-term transient vacation rentals in residential-zoned neighborhoods have been permitted to continue operating solely by virtue of their interpreted status as a legal, nonconforming use that has been grandfathered in by statute. Your Committees find that it is necessary to

address this legal loophole by allowing the counties to amortize or phase out nonconforming single-family transient vacation rental units over a reasonable period of time, regardless of zoning classification. Therefore, this measure supports the home rule authority provided to the counties and ensures they are able to guide the overall future development of their local jurisdictions in a manner they deem fit, using the tools available to put their general plans into effect in an orderly manner.

Your Committees note that certain counties have already taken action and enacted ordinances to address transient vacation rental units in non-resort areas. Your Committees believe that the counties should continue to exercise their home rule authority to address this issue.

Notwithstanding, your Committees further note that S.B. No. 2919, S.D. 2, Regular Session of 2024 (S.B. No. 2919, S.D. 2), is a substantially similar measure that also amends the zoning authority granted to counties to allow them to regulate short-term transient vacation rentals. Your Committees find that the language in S.B. No. 2919, S.D. 2, which was previously passed by the Senate, is preferable because it provides the counties with more robust authority to regulate by zoning ordinance the time, place, manner, and duration in which uses of land and structures may take place, in addition to allowing counties to amortize or phase out transient accommodations uses in residential or agricultural zoned areas. The language in S.B. No. 2919, S.D. 2, is also preferable because it more directly addresses the prior court ruling that barred the City and County of Honolulu from prohibiting by ordinance certain short-term transient vacation rentals, and expands the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations.

Accordingly, your Committees have amended this measure by deleting its contents and inserting the contents of S.B. No. 2919, S.D. 2, and inserting an effective date of July 1, 2040, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection, Energy, Economic Development, and Tourism, and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1838, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1838, H.D. 2, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5; Ayes with Reservations (Richards). Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 4; Ayes with Reservations (Kim, Fevella). Noes, none. Excused, 1 (Wakai).

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Wakai).

SCRep. 3293 (Joint/Majority) Agriculture and Environment and Health and Human Services and Government Operations on H.B. No. 2743

The purpose and intent of this measure is to:

- (1) Require each county to develop and maintain a wastewater management plan;
- (2) Authorize the Director of Health to exempt a county from creating a wastewater management plan if the county has an existing wastewater management plan that substantially meets certain requirements;
- (3) Require the counties to:
 - (A) Identify specific priority areas in which the county sewer system or other centralized treatment system will be expanded or constructed to reduce or eliminate cesspools before January 1, 2050; and
 - (B) Provide for the designation of these areas as sewer improvement districts;
- (4) Authorize each county to:
 - (A) Assess a monthly cesspool pollution fee beginning on July 1, 2025, on real properties containing a cesspool;
 - (B) Create a county cesspool closure and mitigation special fund; and
 - (C) Use cesspool pollution fee revenues for certain activities that eliminate, reduce, or mitigate the impacts of cesspools, including the expansion of county sewer systems and the issuance of grants and low-interest loans to property owners; and
- (5) Appropriate an unspecified amount of funds:
 - (A) For the Department of Health to carry out its duties pursuant to this Act, including establishing an unspecified number of full-time equivalent permanent positions; and
 - (B) To the counties to develop and maintain a wastewater management plan.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; two members of the Hawai'i County Council; County of Hawai'i Department of Environmental Management; Hawai'i State Association of Counties; Wastewater Alternatives and Innovations LLC; Hawai'i Association of REALTORS; Indivisible Hawaii; Maui Chamber of Commerce; Surfrider Foundation, Hawaii Region; Hawai'i Reef and Ocean Coalition; Public Access to SunScreens Coalition; Fair Wind Cruises; and eighteen individuals.

Your Committees received testimony in opposition to this measure from the County of Maui Department of Environmental Management and four individuals.

Your Committees received comments on this measure from the Department of Health, Tax Foundation of Hawaii, and one individual.

Your Committees find that to reduce water pollution, unless exempted by the Department of Health, all cesspools in the State are required to be updated or converted to another method of waste disposal or connected to a sewerage system by January 1, 2050. Your Committees further find that it is difficult for property owners to comply with this legislative mandate, due to issues such as high costs and the inability to identify which priority cesspools are located in areas where wastewater facilities will be expanded. This measure would not only inform cesspool owners on whether they should invest in cesspool conversions or wait to connect with an existing or proposed county wastewater system, but also provide the counties with a new source of revenue to construct, expand, and maintain their wastewater systems, including the ability to provide financial assistance to low- and moderate-income landowners, to support the updates, conversions, and connections of cesspools in the State.

Your Committees note that the Department of the Attorney General and interested stakeholders have had an opportunity to discuss potential amendments to this measure, to address the various concerns and additional recommendations submitted through testimony. Amendments to this measure are therefore necessary to incorporate this consensus language.

Your Committees have amended this measure by:

- (1) Deleting language that would have:
 - (A) Required each county to develop and maintain a wastewater management plan;
 - (B) Authorized the Director of Health to exempt a county from creating a wastewater management plan if the county has an existing wastewater management plan that substantially meets certain requirements;
 - (C) Required the counties to identify specific priority areas in which the county sewer system or other centralized treatment system will be expanded or constructed to reduce or eliminate cesspools before January 1, 2050;
 - (D) Required each county to set an amount of the cesspool pollution fee assessed on each applicable real property parcel to be no less than fifty percent and no more than one hundred percent of the amount of the monthly sewage fee that would be applicable to the property if the property were connected to the county's sewer system;
 - (E) Appropriated an unspecified amount of funds:
 - (i) For the Department of Health to carry out its duties pursuant to this Act, including establishing an unspecified number of full-time equivalent permanent positions; and
 - (ii) To the counties to develop and maintain a wastewater management plan; and
 - (F) Defined "alternative plan", "county advisory board", and "wastewater treatment";
- (3) Authorizing, rather than requiring, the counties to designate specific priority areas as sewer improvement districts;
- (4) Amending language to authorize each county to, beginning on July 1, 2025, assess a cesspool pollution fee, monthly or otherwise, on real properties containing a cesspool;
- (5) Amending the reporting requirements for each county that assesses a cesspool pollution fee;
- (6) Adding language that:
 - (A) Requires the University of Hawaii Sea Grant College Program and the University of Hawaii Water Resources Research Center to develop an overlay with the Hawaii Cesspool Prioritization Tool to identify specific priority areas in which the county sewer system or other centralized treatment system could most feasibly be expanded or constructed to reduce or eliminate cesspools before January 1, 2050;
 - (B) Authorizes the counties to use other revenues, including real property tax revenues, for certain activities that eliminate, reduce, or mitigate the impacts of cesspools;
 - (C) Allows moneys in any county cesspool closure and mitigation special fund to be used to repay obligations incurred in receiving monies to fund the operation of the cesspool closure and mitigation special fund program;
 - (D) Appropriates an unspecified amount of funds for the University of Hawaii Sea Grant College Program and the University of Hawaii Water Resources Research Center to identify specific priority areas in which the county sewer system or other centralized treatment system could most feasibly be expanded or constructed to reduce or eliminate cesspools before January 1, 2050; and
 - (E) Defines "individual wastewater system" and "wastewater system";
- (7) Amending the definitions of "community-scale package wastewater treatment system" and "sewer system";
- (8) Codifying various definitions in the Hawaii Administrative Rules;
- (9) Amending all references to "community-scale package wastewater treatment system" to "community-scale package wastewater system";
- (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, 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. 2743, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2743, 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, 3. Noes, 1 (Awa). Excused, 1 (Rhoads).

Health and Human Services: Ayes, 4. Noes, 1 (Awa). Excused, none.

Government Operations: Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 3294 Health and Human Services on H.B. No. 2556

The purpose and intent of this measure is to:

- (1) Clarify the sources of funding for the Hawaii ABLE Saving Program Trust Fund;
- (2) Authorize the Director of Finance to expend all moneys in the trust fund to fulfill the purposes of the Hawaii ABLE Savings Program, including providing incentive payments to Hawaii public school ABLE account owners; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Budget and Finance, Executive Office on Aging, State Council on Developmental Disabilities, Disability and Communication Access Board, Special Education Advisory Council, Hawaii Disability Rights Center, and six individuals.

Your Committee finds that Act 206, Session Laws of Hawaii 2015, established the Hawaii ABLE Savings Program, which is modeled after certain college savings plans where interest grows tax free and allows individuals with disabilities the same types of flexible savings accounts as those individuals without disabilities, such as college, health, and individual retirement accounts. Presently, there are approximately twenty-three thousand individuals with disabilities statewide who are eligible to open an ABLE Savings Program account. As savings accounts can prepare individuals and their families for future educational, professional, and life goals, ensuring dedicated resources through statewide outreach, advocacy, and relationship management are needed. Therefore, this measure increases the staffing resources to promote the ABLE Savings Program to ensure vulnerable populations can pursue all available resources to achieve a better life experience.

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.

Your Committee notes that this measure contains unspecified appropriation amounts for the Hawaii ABLE Savings Program and an unspecified number of full-time equivalent positions to support this program. Your Committee respectfully requests the various departments determine appropriation amounts for subsequent committees to consider as this measure moves through the legislative 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 H.B. No. 2556, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2556, 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 (Awa).

SCRep. 3295 Health and Human Services on H.B. No. 2393

The purpose and intent of this measure is to:

- (1) 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; and
- (2) Provide amendments to external review procedures to improve consistency with the National Association of Insurance Commissioners Uniform Health Carrier External Review Model Act.

Your Committee received testimony in support of this measure from the Insurance Division of the Department of Commerce and Consumer Affairs, Disability and Communication Access Board, and one individual.

Your Committee finds that cancer is the second leading cause of death in the State, with an average of 7,393 diagnoses of invasive cancer and 2,393 deaths annually. Many cancers have a greater chance of being successfully treated if detected early and promptly treated. Presently, breast cancer remains the most frequently diagnosed cancer among women. Mammograms are a key tool for the detection of breast cancer and are critical to the health of patients. Therefore, this measure ensures coverage for mandated services for mammography to expand coverage for all eligible individuals.

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

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. 2393, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2393, 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 (Awa).

SCRep. 3296 Commerce and Consumer Protection on H.B. No. 2313

The purpose and intent of this measure is to repeal the cutoff date of Act 196, Session Laws of Hawaii 2018, that allowed the Real Estate Commission to use any unexpended funds in the Condominium Education Trust Fund initially dedicated to support voluntary binding arbitration for other educational purposes.

Your Committee received testimony in support of this measure from one individual.

Your Committee received testimony in opposition to this measure from Hawaii First Realty LLC.

Your Committee finds that Act 196, Session Laws of Hawaii 2018 (Act 196), temporarily expanded the scope of the Condominium Education Trust Fund to cover voluntary binding arbitration between interested persons and amended the conditions that mandate mediation and exceptions to mandatory mediation. Separately, Act 196 also authorized any unexpended additional amounts paid into the Condominium Education Trust Fund and initially dedicated to supporting voluntary binding arbitration to be used for other educational purposes until June 30, 2023.

Your Committee further finds that while the success of the alternative dispute resolution remedies of Act 196 led the Legislature to make them permanent through the enactment of Act 57, Session Laws of Hawaii 2020, the authority granted by Act 196 to use unexpended funds initially dedicated to support voluntary binding arbitration for other educational purposes was not made permanent and sunset on June 30, 2023. Your Committee believes that the State must continue to support educational programs for the benefit of condominium associations and owners. This measure will reestablish the Condominium Education Trust Fund's ability to use excess funds initially designated for voluntary binding arbitration for certain educational purposes.

Your Committee notes that the Department of Commerce and Consumer Affairs has not submitted testimony on this measure and respectfully requests that it do so as this measure continues to move through the legislative process.

Accordingly, your Committee has amended this measure by inserting an effective date of July 1, 2040, 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. 2313, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2313, 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. 3297 Commerce and Consumer Protection on H.B. No. 2315

The purpose and intent of this measure is to clarify the laws regarding condominium association voting and meetings on the use of electronic voting devices; electronic meetings; and electronic, machine, or mail voting.

Your Committee received testimony in support of this measure from Hawaii First Realty LLC, Hawai'i State Association of Parliamentarians, and one individual.

Your Committee received testimony in opposition to this measure from the Honolulu Tower AOA and one individual.

Your Committee received comments on this measure from fourteen individuals.

Your Committee finds that in recent years, digital virtual meeting technology--which enables users to communicate in real time, collaborate on projects, and attend virtual meetings from anywhere worldwide--has accelerated rapidly, making them more reliable and accessible. Your Committee further finds that the use of digital technology in condominium association governance can help expand participation, streamline processes, and help condominium associations save on management costs. Therefore, this measure continues the State's efforts to help prudently expand the use of digital technology in condominium association governance by clarifying certain laws relating to electronic meetings and voting.

Your Committee notes the concerns raised by the Hawaii State Parliamentarians, testifying that while electronic voting devices were seen in 2019 as an efficient, accurate, and auditable method for counting votes at condominiums, voting technology has since evolved. The Hawaii State Parliamentarians testified that electronic voting devices have been replaced by smart phone technology, which provides a higher level of auditing, security, and control, and requested that certain technical updates be made to the existing law regarding the use of electronic voting devices. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Repealing the language governing the use of an electronic voting device at an association meeting in section 514B-121, Hawaii Revised Statutes, which has become obsolete due to evolving technology;
- (2) Deleting references to "machine" voting and inserting language clarifying that the board of the unit owners association may authorize electronic meetings, electronic voting, and mail voting subject to certain conditions;
- (3) Inserting language authorizing the board to hold electronic meetings, electronic voting, and mail voting when approved by adoption of a special meeting rule at an association meeting that permits the board to authorize such meetings;
- (4) Inserting language clarifying that all association meetings, except those where all persons attend by electronic means, shall be held at the address of the condominium or elsewhere within the State as determined by the board; 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. 2315, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2315, 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 (Awa).

SCRep. 3298 Government Operations on H.B. No. 2089

The purpose and intent of this measure is to:

- (1) Require the State Building Code Council to adopt, amend, or update the International Building Code and International Residential Code within two years of every other official publication of the applicable code, rather than every publication; and
- (2) Specify that if a county does not adopt the Hawaii State Building Codes within two years, then the Hawaii State Building Codes become the applicable interim county building codes until superseded by the adoption of an amended version of the Hawaii State Building Codes.

Your Committee received testimony in support of this measure from Holomua Collaborative, NAIOP Hawaii, Grassroot Institute of Hawaii, National Association of Home Builders, aio, Hawaii Gas, Hawaiian Host Group, Hawai'i Community Foundation, Mana Up, Title Guaranty Hawaii, HPM Building Supply, and three individuals.

Your Committee received testimony in opposition to this measure from the Subcontractors Association of Hawaii; Sierra Club of Hawai'i; International Code Council; American Institute of Architects, Hawaii State Council; E Ola Kakou Hawai'i; Hawaii Chapter of 350.org; Sheet Metal Contractors Association Hawaii; Sheet Metal & Air Condition National Association, Hawaii Chapter; Kupuna for the Mo'opuna; and twenty individuals.

Your Committee received comments on this measure from the Hawai'i State Energy Office, Blue Planet, Building Industry Association of Hawaii, and Hawai'i Energy.

Your Committee finds that under the existing law, the Hawaii State Building Code Council (Council) must adopt, amend, or update certain widely recognized nationally published codes or standards identified under section 107-25, Hawaii Revised Statutes, within two years of any official publication date of a code or standard. Your Committee recognizes that the State continues to experience a housing shortage and that the State's strategic adoption of updated building codes and standards as provided in this measure will facilitate the construction of housing in the State while providing sufficient time for the Council, along with industry stakeholders, to adequately review the new codes or standards, assess potential changes and financial impacts to homeowners and builders, and adapt certain codes or standards to Hawaii's unique island environment.

Your Committee acknowledges the concerns raised in testimony that the Federal Emergency Management Agency uses timely code adoption as a criterion in its funding for disaster mitigation, resilience, and recovery projects and that noncompliance with national building codes could jeopardize opportunities for the State to receive federal funding. Your Committee further recognizes that the duty for the State Building Code Council to adopt building codes and standards is suspended when an emergency proclamation is in effect. Your Committee notes that a prolonged emergency proclamation may have a chilling effect on the timely adoption, amendment, and update on future State Building Codes. Your Committee further notes that a recent news report stated that the Maui County Department of Planning currently operates at a twenty-five percent vacancy rate and that there still may not be sufficient dedicated and trained staff available to adequately review, assess, and adapt building codes as provided in this measure. Your Committee respectfully requests that these concerns be considered as this measure moves forward in the legislative process.

Accordingly, your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2491, 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 Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2089, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2089, 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; Ayes with Reservations (Gabbard). Noes, none. Excused, 1 (Awa).

SCRep. 3299 (Joint) Agriculture and Environment and Water and Land on H.B. No. 2329

The purpose and intent of this measure is to appropriate an unspecified amount of funds to establish a one-year pilot program to reduce the population of rose-ringed parakeets on Kauai, using past research and on-the-ground experience to guide future strategies.

Your Committees received testimony in support of this measure from the Department of Agriculture, Department of Land and Natural Resources, County of Kaua'i Office of Economic Development, Hawai'i Farm Bureau, The Nature Conservancy, and four individuals.

Your Committees received testimony in opposition to this measure from Animal Rights Hawai'i.

Your Committees find that rose-ringed parakeets are invasive birds that pose a significant threat to the agriculture, native ecosystems, and public health of the State. According to testimony received by your Committees, rose-ringed parakeets are considered widely established on the islands of Oahu and Kauai, making an eradication effort almost impossible. Your Committees find that this measure will provide funding for a one-year pilot program, which solidifies best practices to manage the population of these invasive birds. However, your Committees note that the provisions of this measure do not require the one-year pilot program to submit a report

of its findings and recommendations, including any proposed legislation, to the Legislature, and your Committees respectfully request that this concern be considered as this measure moves forward in the legislative process.

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. 2329, H.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Awa).

Water and Land: Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 3300 Education on H.B. No. 500

The purpose and intent of this measure is to appropriate funds to the Department of Education to promote surfing as an interscholastic sport.

Your Committee received testimony in support of this measure from the Outrigger Duke Kahanamoku Foundation, Hoemana, 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 Education.

Your Committee finds that surfing has significant cultural, social, and economic value to the people of Hawaii and the many visitors who travel to the State for surfing. While surfing has been sanctioned by the Department of Education since 2004, only one of five local athletic leagues have sponsored surfing as an interscholastic sport. Limited opportunities for students to pursue surfing may not provide student-athletes inspired by surfing with the full range of experiences to participate in competitive sports.

Additionally, your Committee further finds that for students to be competitive in the twenty-first century, a variety of academic and extracurricular experiences are needed to provide a well-rounded education. Expansion of workforce readiness programs, school athletics, and academic coursework will offer students opportunities to tailor their education to their interests while ensuring preparation for future academic and professional goals. Therefore, amendments to this measure are needed to ensure adequate funding for various Department of Education programs to support workforce readiness and extracurricular activities in Department of Education schools.

Accordingly, your Committee has amended this measure by:

- (1) Inserting additional unspecified appropriation amounts for the following programs:
 - (A) Statewide participation at student-led conferences for middle and high schools;
 - (B) Middle school athletics programs;
 - (C) Workforce readiness initiatives;
 - (D) Work-based learning opportunities for students to apply skills and knowledge in a workplace context partnering with local employers and regional economic development priorities;
 - (E) Math camps;
 - (F) Intra-state travel funds for neighbor island student participation in annual JROTC competitions;
 - (G) Foreign language programs that provide students with language skills to enter high-demand occupations in the fields of hospitality and tourism and cyber-security;
 - (H) Middle school education;
 - (I) Professional learning in classrooms to support activities such as applied mathematics, financial literacy education, and instructional resources;
 - (J) Implementation of middle school student councils, enhancement student activities programs, and the annual Middle Level Student Leadership Summit for grades six through eight; and
 - (K) Teaching and learning in secondary mathematics.
- (2) Inserting language declaring that the general fund expenditure ceiling is exceeded;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that this measure contains an unspecified total appropriation amount. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider inserting appropriation amounts for fiscal year 2024-2025, as follows:

- (1) \$42,000 for the promotion and support of surfing as an interscholastic sport;
- (2) \$150,000 for statewide participation at student-led conferences for middle and high schools;
- (3) \$5,000,000 for middle school athletics programs;
- (4) \$2,500,000 for workforce readiness initiatives;

- (5) \$1,652,040 for students to apply skills and knowledge in a workplace context partnering with local employers and regional economic development priorities;
- (6) \$56,350 for math camps;
- (7) \$45,000 for intra-state travel funds for neighbor island student participation in annual JROTC competitions;
- (8) \$275,000 for foreign language programs in preparation of high-demand occupations in hospitality and tourism and cyber-security;
- (9) \$579,450 for middle school education;
- (10) \$646,138 for professional learning in classrooms to support activities such as applied mathematics, financial literacy education, and instructional resources;
- (11) \$110,136 for implementation of middle school student councils, enhancement of student activities programs, and the annual Middle Level Student Leadership Summit for grades six through eight; and
- (12) \$500,000 for teaching and learning in secondary mathematics.

Your Committee expressed concerns regarding the current status of surfing as a club sport that is not league-sanctioned in other jurisdictions statewide. For surfing to become an interscholastic sport, fiscal support is needed to provide salaries for coaches. Additionally, your Committee expressed concerns regarding the safety of student-athletes interested in surfing, given the hazardous conditions of the surfing environment. Additional information regarding the time and location of competitions, potential judges, and safeguards for students is also unclear at this time. Further, your Committee suggests examining the Maui Interscholastic League's model for surfing as an interscholastic sport to determine how to incorporate surfing as a competitive sport within the Department of Education. Your Committee therefore requests these issues also be examined further by subsequent committees.

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. 500, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 500, 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. 3301 Education on H.B. No. 1906

The purpose and intent of this measure is to appropriate funds to the Department of Education to enhance its Panorama platform and Trust Circle mobile application or create a new platform.

Your Committee received testimony in support of this measure from the Department of Education, State Council on Mental Health, Hawaii State Teachers Association, and three individuals.

Your Committee finds that ensuring adequate access to mental health support services is critical to the health, well-being, and development of Hawaii's keiki. Presently, the Department of Education utilizes the Trust Circle mobile application and Panorama Education platform to provide students with accessible well-being resources and for teachers to understand the social-emotional competencies in the areas of sense of belonging, social awareness, self-management, and emotional regulation. Both platforms offer teachers and counselors insight into the well-being of their students while identifying additional support for at-risk students. Accordingly, this measure creates greater accessibility for students to receive mental health and well-being support 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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1906, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1906, 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. 3302 (Joint) Education and Transportation and Culture and the Arts on H.B. No. 1837

The purpose and intent of this measure is to:

- (1) Require the Department of Education to grant public access to emergency action plans that do not pose a security risk to students, staff, or guests of school campuses;
- (2) Require each Department of Education school to have a comprehensive school evacuation communication plan for use during emergencies;
- (3) Require the Department of Education to collaborate with the Department of Transportation to assess all Department school campuses to determine if there are sufficient emergency evacuation routes for each campus and report to the Legislature; and
- (4) Appropriate funds.

Your Committees received testimony in support of this measure from the State Council on Developmental Disabilities, Special Education Advisory Council, one member of the Maui County Council, Hawaii State Teachers Association, Democratic Party of Hawai'i, Education Caucus of the Democratic Party of Hawai'i, and one individual.

Your Committees received comments on this measure from the Department of Education, Department of the Attorney General, Office of Language Access, and Disability and Communication Access Board.

Your Committees find that establishing emergency preparedness plans for Hawaii's public schools will provide students, staff, and members of the community with safe and accessible evacuation routes during unforeseen emergencies or disasters. The August 2023 Maui wildfires have additionally demonstrated a need to ensure all schools have multiple safe evacuation routes that are accessible for all users. Further, appropriate communication plans to address the unique needs of each community will provide cultural awareness and responsiveness during emergency situations. Therefore, this measure ensures school safety and emergency preparedness for all members of the State's public school communities.

Your Committees have amended this measure by:

- (1) Deleting language that would have authorized public access to the emergency action plans;
- (2) Clarifying that parents and guardians shall contact and provide schools with updated contact information throughout the school year as needed; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Education and 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. 1837, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1837, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Education: Ayes, 5. Noes, none. Excused, none.

Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Elefante, Awa).

SCRep. 3303 (Joint) Commerce and Consumer Protection and Transportation and Culture and the Arts on H.B. No. 1997

The purpose and intent of this measure is to authorize the Public Utilities Commission to establish a discounted rate by tariff for water carriers that engage in the interisland transport of renewable hydrogen.

Your Committees received testimony in support of this measure from Tigerhsark, LLC and one individual.

Your Committees received testimony in opposition to this measure from 350Hawaii.org.

Your Committees received comments on this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Hawaii State Energy Office, Public Utilities Commission, and Hawai'i Gas.

Your Committees find that hydrogen is often promoted as a potential clean fuel of the future due to its lower impact on the environment. Hydrogen can be burned like oil or gas but releases no climate-warming carbon dioxide. Instead, when consumed in a fuel cell, hydrogen produces only water vapor and warm air. Once produced, hydrogen can be used to power vehicles and generate electricity for communities statewide, making it an important part of the State's plans to achieve its ambitious renewable energy goals. Your Committees therefore find that it is in the State's interest to encourage the production and use of hydrogen as a clean fuel source. This measure will make the cost of transporting hydrogen from island to island more affordable, thereby promoting its use in the State.

Your Committees note the concern raised during the public hearing on this measure that establishing a discounted rate by tariff for hydrogen may cause water carriers to attempt to recover their decreased revenues by raising rates for other cargo types, thus increasing prices for consumers. Your Committees further note that suggestions were made during the public hearing that preferential shipping rates should also be considered for local agricultural producers and the shipment of building materials in support of affordable housing construction. Your Committees find that these concerns merit further consideration and respectfully request that subsequent Committees that may choose to deliberate on this measure further examine these issues as the measure moves through the legislative process.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2040, 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 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. 1997, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1997, 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, 5; Ayes with Reservations (McKelvey). Noes, none. Excused, none.

Transportation and Culture and the Arts: Ayes, 4; Ayes with Reservations (Inouye). Noes, none. Excused, 1 (Kanuha).

SCRep. 3304 (Joint) Commerce and Consumer Protection and Judiciary on H.B. No. 2742

The purpose and intent of this measure is to:

- (1) Extend the notice period for summary possession proceedings from five days to fifteen days for failure to pay rent;

- (2) Require landlords to provide the notice to mediation centers;
- (3) Require landlords to enter into mediation if scheduled by a tenant, which will delay when a landlord may file an action for summary possession except in cases where a tenant cancels the mediation or does not appear;
- (4) Restrict when landlord remedies are available depending on the amount of rent due; and
- (5) Appropriate funds for the Judiciary to contract for mediation services.

Your Committees received testimony in support of this measure from the Judiciary; Mediation Center of the Pacific, Inc.; Legal Aid Society of Hawai'i; Ku'ikahi Mediation Center; and Mediation Centers of Hawai'i.

Your Committees received comments on this measure from the Hawai'i Association of REALTORS.

Your Committees find that due to the August 2023 Maui wildfires, thousands of Maui residents have lost their jobs and have been unable to pay their rent. Your Committees further find that although the Governor has provided certain protections for these tenants who are struggling during this time, such as by issuing emergency proclamations that include an eviction moratorium that prohibits any eviction from a residential dwelling unit for failure to pay rent, eventually, these eviction moratoriums will expire, and a large number of summary possession cases are expected to follow as a result.

Your Committees also find that Act 57, Session Laws of Hawaii 2021 (Act 57), encouraged communication and facilitated mediation between landlords and tenants to help encourage collaborative solutions and reduce evictions when possible. Although the provisions of Act 57 have since expired, the pre-litigation mediation program's success warrants the re-adoption of its most effective provisions. Therefore, this measure reimplements certain provisions of Act 57 for these specific tenancies that are subject to the eviction moratorium issued under the Governor's emergency proclamations to encourage tenants and landlords to engage in early mediation.

Your Committees have amended this measure by:

- (1) Clarifying this measure's purpose;
- (2) Inserting an effective date of July 1, 2040, 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 H.B. No. 2742, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2742, 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, 3. Noes, none. Excused, 2 (McKelvey, Awa).

Judiciary: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3305 (Joint/Majority) Commerce and Consumer Protection and Health and Human Services on H.B. No. 2553

The purpose and intent of this measure is to:

- (1) Authorize pharmacists to administer vaccines to persons three years of age or older;
- (2) Authorize pharmacy interns and pharmacy technicians under the direct supervision of a pharmacist to administer vaccinations to persons between the ages of three and seventeen, if certain requirements are met; and
- (3) Authorize pharmacists to order vaccines for administration to persons between the ages of three and seventeen.

Your Committees received testimony in support of this measure from the Disability and Communication Access Board; Board of Pharmacy; University of Hawai'i at Hilo; Department of Health; Times Pharmacy; American Pharmacists Association; Retail Merchants of Hawaii; CVS Health; Walgreen Co.; Moloka'i Drugs, Inc.; Hawaii Pharmacists Association; and nine individuals.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that during the coronavirus disease 2019 pandemic, certain temporary amendments were made to the federal Public Readiness and Emergency Preparedness Act (PREP Act) to authorize pharmacists and certain pharmacy personnel to act beyond the limited scope of existing state law and order and administer a number of vaccines to children between the ages of three to seventeen, including routinely recommended childhood vaccinations. Your Committees find that this temporary authority greatly helped minimize interruptions to patient access to necessary, routine, and recommended vaccination services. Your Committees find that as the temporary authority provided under the PREP Act is slated to end on December 31, 2024, the State should codify the temporary federal amendments in state law and permanently authorize pharmacists and certain pharmacy personnel to order and administer vaccines to children between the ages of three and seventeen. Therefore, this measure will expand the role of licensed pharmacists and certain pharmacy personnel to administer vaccines to their communities and make it easier for families to protect their children against influenza and other highly contagious diseases.

Your Committees have amended this measure by:

- (1) Inserting language that requires pharmacy interns and pharmacy technicians that administer vaccines to a person between three and seventeen years of age to have a Certified Pharmacy Technician certification from either the Pharmacy Technician Certification Board or National Healthcareer Association; 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 Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2553, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2553, H.D. 2, 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, 3. Noes, 1 (Awa). Excused, 1 (McKelvey).

Health and Human Services: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Shimabukuro).

SCRep. 3306 (Joint/Majority) Higher Education and Water and Land and Agriculture and Environment on H.B. No. 2248

The purpose and intent of this measure is to appropriate funds to the University of Hawaii Sea Grant College Program to develop a North Shore Beach Management and Climate Adaptation Plan for the North Shore of Oahu from Sunset Point to the Kapo'o (Sharks Cove) area.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; University of Hawai'i System; Shoreline Preservation Coalition; Hawai'i Reef and Ocean Coalition; Surfrider Foundation, Hawai'i Region; and four individuals.

Your Committees find that the North Shore of Oahu faces an increasing risk of erosion and deterioration from a combination of high-energy waves, winter surf, summer swells, sea-level rise from climate change, coastal erosion, shifting sand, deteriorating coral reefs, and intensive use by individuals accessing the shoreline. The infrastructure of most of the shoreline beach parks and coastal access areas along the North Shore of Oahu is inadequate to handle the high number of residents and visitors who are attracted to these beaches each year. Further, as the State's beaches and coastline constitute part of the public trust, the State has a fiduciary duty to affirmatively protect beach and coastal access. Accordingly, this measure provides the University of Hawaii Sea Grant College Program with resources necessary to address rising challenges that impact Oahu's North Shore beaches and coastlines.

Your Committees expressed concerns regarding the collaborative efforts to accomplish the North Shore Beach Management and Climate Adaptation Plan. As the solutions to address the North Shore will require significant involvement from the counties, your Committees raised concerns that the State is taking the lead on a project that requires collaboration from the counties and the impacted communities. Additionally, your Committees note concerns that there may be challenges with community unity to develop solutions for the Beach Management and Climate Adaptation Plan based on competing interests. Your Committees therefore recommend that the counties utilize the neighborhood board system to facilitate community outreach and engagement to ensure all voices are heard while reducing the fiscal impact.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that 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 \$1,000,000, for fiscal year 2024-2025.

As affirmed by the records of votes of the members of your Committees on Higher Education, 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. 2248, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2248, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Higher Education: Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Fukunaga).

Water and Land: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Agriculture and Environment: Ayes, 3. Noes, 2 (DeCoite, Richards). Excused, none.

SCRep. 3307 Health and Human Services on H.B. No. 2309

The purpose and intent of this measure is to appropriate funds to implement a Homeless Triage Center Program within the Alcohol and Drug Abuse Division of the Department of Health.

Your Committee received testimony in support of this measure from the Alcohol and Drug Abuse Division of the Department of Health; State Health Planning and Development Agency; Partners In Care; The Institute for Human Services, Inc.; Hawaii Substance Abuse Coalition; ACLU Hawai'i; and one individual.

Your Committee finds that the State is ranked fourth in the United States for chronic homelessness. According to the 2023 Point-in-Time count, approximately thirty percent of individuals and families experiencing homelessness, whether sheltered or not, reported a substance use problem, and forty percent have reported a mental illness. Your Committee further finds that triage is recognized as an evidence-based practice to end the cycle of homelessness and provides assessment of a person's disorders, need for medication-assisted detoxification, and timely psychiatric treatment. As triage centers are easily accessible, mobile, and judgment-free health care centers, this measure establishes a Homeless Triage Center Program to provide readily accessible, safe, and secure health care services to individuals who are homeless or at risk of homelessness.

Your Committee notes that there are a variety of providers who offer homeless triage services to communities statewide. However, the current language of this measure does not accurately reflect the broad range of services offered by providers of homeless triage and the unique needs of each community. Therefore, amendments are needed to broaden the scope of work done by various providers statewide to address health care services for individuals who are homeless.

Your Committee has amended this measure by:

- (1) Inserting language to clarify that the purpose of this measure is to support existing crisis intervention centers;

- (2) Clarifying that the Homeless Triage Center Program shall focus on serving individuals who are at risk of homelessness, in addition to individuals who are homeless;
- (3) Deleting language that would have required the Homeless Triage Center Program to operate twenty-four hours per day, seven days per week;
- (4) Clarifying that the Homeless Triage Center Program shall provide mobile outreach in addition to case management services;
- (5) Deleting certain legislative findings that singularly summarized the Homeless Triage Center piloted by the Institute for Human Services, as your Committee recognizes many other similar resources provided by the State and its counties;
- (6) Amending Section 1 to reflect its amended purpose;
- (7) Inserting an effective date of December 31, 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. 2309, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2309, 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. 3308 Health and Human Services on H.B. No. 2159

The purpose and intent of this measure is to:

- (1) Require the Department of the Attorney General to assist with the preparation and filing of petitions for assisted community treatment and with the presentation of the case, unless declined by the petitioner;
- (2) Repeal language entitling the subject of a petition for assisted community treatment to legal representation by a public defender;
- (3) Provide a mechanism for the automatic screening of certain nonviolent defendants for involuntary hospitalization or assisted community treatment; and
- (4) Authorize courts to require certain probation violators to undergo a mental health evaluation and treatment program as a condition of continued probation.

Your Committee received testimony in support of this measure from the Judiciary; Adult Mental Health Division of the Department of Health; Disability and Communication Access Board; State Council on Mental Health; The Institute for Human Services, Inc.; Hawaii Substance Abuse Coalition; Hawai'i Psychological Association; and three individuals.

Your Committee received testimony in opposition to this measure from ACLU Hawai'i and two individuals.

Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Disability Rights Center.

Your Committee finds that criminal justice diversion programs and assisted community treatment provide certain defendants with critical mental health services and alternative forms of justice to help achieve significantly better health outcomes for individuals suffering with mental illness. As certain defendants may require mental health evaluations and assessments to determine specific services needed, improvements to existing mental health services will improve timely access to services and prevent certain individuals from repeatedly getting caught up in the criminal justice system. Therefore, this measure will improve the assisted community treatment program to help stabilize individuals with untreated mental illness.

Your Committee notes the testimony of the Department of the Attorney General expressing concerns that certain provisions of this measure could subject this measure to the requirement of additional readings in the House of Representatives. Further, your Committee notes the concerns raised in testimony concerning due process considerations. 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 authorized certain examinations to be exempted from any case under the jurisdiction of the family court unless ordered otherwise by the presiding judge;
- (2) Deleting language that would have established the offense of escape in the second degree as a petty misdemeanor;
- (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 H.B. No. 2159, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2159, 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. 3309 Commerce and Consumer Protection on H.B. No. 2056

The purpose and intent of this measure is to:

- (1) Establish the State Reinsurance Exploratory Working Group (Working Group) to explore the feasibility of establishing a state-run reinsurance program to ensure affordable coverage for property owners against catastrophic events;
- (2) Require the Working Group to submit a report to the Legislature; and
- (3) Make an appropriation.

Your Committee received testimony in support of this measure from the Insurance Division of the Department of Commerce and Consumer Affairs, Hawai'i Association of REALTORS, Hawaii First Realty LLC, Palehua Townhouse Association, Malama O Puna, and three individuals.

Your Committee finds that the rising global temperatures associated with climate change have increased both the frequency and severity of natural disasters. This has, in turn, led to the destabilization of certain insurance and reinsurance markets as these companies, responding to the accumulation of losses incurred from these events, have significantly increased their prices, limited their coverage, or even exited out of high-risk markets entirely. Your Committee further finds that the establishment of a state-run reinsurance program to offset the liabilities of private reinsurance companies could potentially help stabilize local insurance markets and ensure that insurance coverage in Hawaii remains available and affordable for property owners. Therefore, this measure establishes the Working Group to study the feasibility of this state-run reinsurance concept.

Your Committee notes that the intent of this measure is to have the Working Group gather the necessary information to assist the Legislature in making the best decision possible as the State moves forward. This measure will address the essential aspects of the rising costs of property insurance in the State and allow the Legislature to create a potentially innovative way of handling insurance in the State. The information gathered by the Working Group pursuant to this measure will allow the Legislature to come up with some creative ideas that hopefully address this matter while taking care of the consumers in the State.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that clarifies that the purpose of the Working Group is to gather information to assist the Legislature in generating innovative solutions that address the increasing insurance costs for consumers in the State;
- (2) Inserting language that expands the duties of the Working Group to include the following:
 - (A) Evaluation of existing insurance programs, including the regulatory and legal frameworks that govern these programs;
 - (B) Assessment of any regulatory gaps and shortcomings of the current insurance system;
 - (C) Review of the State's current ability to conduct risk assessments and the development of specialized risk assessment tools for different types of risks and industry operations in the State;
 - (D) Identification of areas where stakeholder engagement and investment can promote collaboration to address industry specific issues;
 - (E) Identification of best practices and the development of comprehensive policies to produce recommendations that will promote overall market growth; and
 - (F) Establishment of mechanisms for ongoing monitoring, assessment of the financial tools necessary for data collection, and the formation of policies that remain responsive to market dynamics, functions, and evolving regulatory challenges;
- (3) Adding the following members to the Working Group:
 - (A) One member appointed by the President of the Senate; and
 - (B) One member appointed by the Speaker of the House of Representatives;
- (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. 2056, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2056, 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 (McKelvey, Awa).

SCRep. 3310 Commerce and Consumer Protection on H.B. No. 2278

The purpose and intent of this measure is to:

- (1) Clarify labeling requirements for macadamia nuts; and
- (2) Require the country of origin to be included on the principal display panel of a consumer package of processed macadamia nuts.

Your Committee received testimony in support of this measure from the Department of Agriculture, O.K. Farms, Island Harvest Inc., Synergistic Hawaii Agriculture Council, Scott E. Enright Company LLC, Hawai'i Farmers Union United, Hawaii Macadamia Nut

Association, Hawai'i Farm Bureau, Hawaiian Macadamia Nut Services, Hamakua Macadamia Nut Co., Mai Mahealani Farm LLC, Ka'u Farms Management LLC, Huahua Farm LLC, Macadamia Growers of Hawai'i, and more than one hundred fifty individuals.

Your Committee received testimony in opposition to this measure from Hawaiian Host Group, Kapua Orchards Inc., Maunaloa Macadamia, and more than one hundred eighty individuals.

Your Committee finds that Hawaii's unique climate and fertile soil contribute to the exceptional flavor of Hawaii-grown macadamia nuts, making them a globally recognized food product that is enjoyed by consumers around the world. However, certain manufacturers of non-Hawaiian-grown macadamia nuts have taken advantage of this reputation by placing cheaper foreign macadamias in a Hawaii-branded package to obtain a premium price at a lower cost. Your Committee believes that this practice is not only deceitful to consumers, but causes local farmers to suffer from reduced demand and deflated prices. Therefore, this measure clarifies certain laws relating to the labeling of macadamia nuts to increase transparency and hold all companies that sell macadamia nuts to a higher standard of integrity.

Notwithstanding, your Committee notes that S.B. No. 3303, S.D. 2 (2024), is a substantially similar measure that also clarifies the labeling requirement for macadamia nuts. Your Committee finds that the language in S.B. No. 3303, S.D. 2, which was previously passed by the Senate, is preferable because it also requires the country of origin to be included on the label of a consumer package of raw or processed macadamia nuts, and additionally includes a company name or the use of images of the State as representation that a product contains a portion of macadamia nuts grown in the State and authorizes any person injured by a violation of this labeling law to bring a civil action in court for damages. The language in S.B. No. 3303, S.D. 2, is also preferable because it includes severability language should the measure be deemed to be in conflict with federal law.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 3303, S.D. 2. (2024); and
- (2) Inserting an effective date of July 1, 2040, 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. 2278, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2278, 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; Ayes with Reservations (Richards). Noes, none. Excused, 1 (Awa).

SCRep. 3311 (Joint/Majority) Health and Human Services and Commerce and Consumer Protection on H.B. No. 2443

The purpose and intent of this measure is to:

- (1) Repeal the sunset date of the authorization for primary caregivers to cultivate medical cannabis for qualifying patients; and
- (2) Clarify that primary caregivers may continue to cultivate medical cannabis for qualifying patients subject to certain restrictions.

Your Committees received testimony in support of this measure from the Office of Medical Cannabis Control and Regulation of the Department of Health, Cannabis Society of Hawai'i, and two individuals.

Your Committees received testimony in opposition to this measure from the Hawai'i Patients Union, Pakaloha Care LLC, Care Waialua LLC, GreenWave Advisors LLC, and fifty-four individuals.

Your Committees received comments on this measure from the Department of the Attorney General, Akamai Cannabis Consulting, Aloha Green Apothecary, and three individuals.

Your Committees find that Act 241, Session Laws of Hawaii 2015 (Act 241), relating to medical cannabis, established a statewide dispensary licensing system for medical cannabis to ensure safe and legal access to medical cannabis for qualifying patients. Your Committees further find that the intent of the Legislature as expressed in Act 241 was, and continues to be, to expand qualifying patient's access to cannabis rather than to replace existing legal access routes, recognizing that some patients may not be able to grow their own supply of medical cannabis due to limitations such as disability or lack of space. This measure ensures that qualifying patients continue to have multiple options for obtaining medical cannabis by permanently allowing their primary caregiver to grow an adequate supply of cannabis for medical use on their behalf.

Your Committees have amended this measure by:

- (1) Increasing the maximum number of qualified patients for which each location used to cultivate cannabis may cultivate cannabis, from five to ten patients;
- (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 Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2443, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2443, H.D. 2, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Shimabukuro).

Commerce and Consumer Protection: Ayes, 3. Noes, 1 (Awa). Excused, 1 (McKelvey).

SCRep. 3312 (Joint) Health and Human Services and Commerce and Consumer Protection on H.B. No. 2544

The purpose and intent of this measure is to:

- (1) Establish within the Department of Health a two-year pilot project to charter flights from rural islands to an urban island to provide rural island residents with reliable transportation to medical care on urban islands; and
- (2) Appropriate funds for the pilot project.

Your Committees received testimony in support of this measure from one member of the Maui County Council; Hawaii Health Systems Corporation; Hawaii Medical Service Association; Moloka'i Drugs, Inc.; 'Ahahui o nā Kauka, Association of Native Hawaiian Physicians; Hawai'i Pacific Health; The Queen's Health System; Indivisible Hawai'i; AlohaCare; and nine 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 and Department of Health.

Your Committees find that rural islands such as Molokai and Lanai must utilize a single air carrier available to the public for departures from each island. However, residents have experienced significant delays, frequent and last-minute flight changes, and cancellations. As residents rely on air travel for medical, family, and work obligations, providing consistent service between rural islands is necessary to ensure the health and safety of Hawai'i's people. Therefore, this measure expands air travel options for residents in the rural islands to provide reliable, consistent service to receive much needed medical services.

Your Committees have amended this measure by:

- (1) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that according to the Department of Health, an appropriation amount of \$2,000,000, for the purposes of this measure, is already included in H.B. No. 1800, Regular Session of 2024, relating to the State Budget, which was passed by the House of Representatives and is currently scheduled to be heard by your Committee on Ways and Means.

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. 2544, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2544, 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).

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 3313 (Joint) Health and Human Services and Commerce and Consumer Protection on H.B. No. 1675

The purpose and intent of this measure is to, beginning January 1, 2026, exempt medical services provided by licensed physicians and advanced practice registered nurses acting in the capacity of primary care providers from the general excise tax.

Your Committees received testimony in support of this measure from the State Health Planning and Development Agency; Disability and Communication Access Board; University of Hawai'i System; Office of the Mayor of the County of Hawai'i; one member of the Maui County Council; Hawaii Association of Health Plans; Avana Health; Hawaii Provider Shortage Crisis Task Force; AlohaCare; Hawai'i Association of Professional Nurses; Hawaii Independent Physicians Association; Kohala Coast Urgent Care LLC; Moloka'i Family & Urgent Care; East Hawaii Independent Physicians Association dba Big Island Docs; American College of Obstetricians and Gynecologists; Grassroot Institute of Hawaii; Hawai'i Psychological Association; Honolulu Neuroscience Clinic; 'Ahahui o nā Kauka—Association of Native Hawaiian Physicians; Philippine Medical Association of Hawai'i; Oahu Pain Care; Wala'au Therapy LLC; One Impact Hawaii; Malama Pono Autism Center; Joyful Living, LLC; Hawaiian Rehabilitation Services, Inc.; Hawai'i Academy of Physician Assistants; Hawaii Dental Service; Hawaii Academy of Family Physicians; Restore Hawai'i Speech Therapy LLC; Maui Orthopedic Institute LLC; Hawaii Medical Association; Indivisible Hawaii Healthcare Team; Enphysio LLC; Hawaii Federation of Republican Women; Thankfully Inspired, LLC; Hawai'i Speech-Language Hearing Association; Christopher West LMHC LLC; and seventy-nine individuals.

Your Committees received testimony in opposition of this measure from one individual.

Your Committees received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, CBT Gym, Hawai'i Counselors Association, and one individual.

Your Committees find that the State is facing a dire health care workforce shortage, which continues to worsen and results in lower access to care and poorer health outcomes for residents in the State. Your Committees further find that Hawaii is one of two states that apply the general excise tax to the medical practice income of physicians, advanced practice registered nurses, physician assistants, and other independent practice health care professionals, placing an undue financial burden on health care providers that results in practice closures and challenges in recruiting and retaining new or younger health care professionals. Your Committees additionally find that the general excise tax and related county surcharges are highly regressive forms of taxation that disproportionately and adversely affect low- and middle-income families struggling to cope with the State's high cost of living as physicians subject to the general excise tax may pass this cost on to patients as a way to recover the expense.

Your Committees note the concerns raised in testimony that that this measure's proposed general excise tax exemption for independent medical practices does not apply to hospitals or to physicians and other health professionals employed by hospitals. Your Committees further note that this measure's proposed general excise tax exemption should likewise apply to affected specialty

practices and should encourage recruitment and retention of both primary and specialty physicians, advanced practice registered nurses, physician assistants, and other health care professionals that are in short supply in the State.

Your Committees also note that S.B. No. 1035, S.D. 2, a measure that was introduced and adopted by the Senate in the Regular Session of 2023, also exempts medical services from the general excise tax. Your Committees find that the language in S.B. No. 1035, S.D. 2, is preferable because it expands the exemption from the general excise tax beyond medical services provided by licensed physicians and advanced practice registered nurses to include medical and dental services provided by health care providers to patients who receive Medicaid, Medicare, or TRICARE benefits.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 1035, S.D. 2, Regular Session of 2023, a measure that temporarily exempts medical and dental services provided by health care providers to patients who receive Medicaid, Medicare, or TRICARE benefits from the general excise tax;
- (2) Updating Section 1 to reflect its amended purpose; and
- (3) 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 H.B. No. 1675, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1675, 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).

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 3314 (Joint) Health and Human Services and Commerce and Consumer Protection on H.B. No. 1624

The purpose and intent of this measure is to require insurers, mutual benefit societies, and health maintenance organizations to provide coverage for standard fertility preservation services for persons undergoing medically necessary treatment that may cause iatrogenic infertility in policies, contracts, plans, and agreements issued or renewed after December 31, 2024.

Your Committees received testimony in support of this measure from the American Cancer Society Cancer Action Network Inc.; Hawaii Society of Clinical Oncology; Association for Clinical Oncology; The Leukemia & Lymphoma Society, Inc.; Advanced Reproductive Medicine and Gynecology of Hawaii, Inc. dba Fertility Institute of Hawaii; Alliance for Fertility Preservation; and four individuals.

Your Committees received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs, Hawaii Association of Health Plans, Hawaii Medical Service Association, and Kaiser Permanente Hawai'i.

Your Committees find that many medical treatments, such as chemotherapy and radiation, can significantly damage reproductive tissues and affect fertility in both men and women. Your Committees further find that patients undergoing these treatments often face the heartbreaking reality that their cancer or other diagnosis treatment may cause them to become infertile, leading to significant long-term mental, emotional, and physical impacts on the patients, their partners, and their families. This measure provides medical coverage for standard fertility preservation services, thereby offering a chance for cancer patients to maintain their fertility options so they can start a family after their cancer treatment.

Your Committees have amended this measure by:

- (1) Inserting language to the definition of "standard fertility preservation services" to exclude:
 - (A) Third party assisted reproduction technology procedures, including donor egg or surrogates and gestational carriers; and
 - (B) Any services relating to cryopreservation storage; 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 H.B. No. 1624, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1624, 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).

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 3315 (Joint/Majority) Water and Land and Government Operations on H.B. No. 1542

The purpose and intent of this measure is to allow each of the counties a temporary opportunity to petition for the redistricting of land from the agricultural district to the rural district through the Land Use Commission's declaratory ruling process.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development.

Your Committees received testimony in opposition to this measure from three individuals.

Your Committees received comments on this measure from the Department of Agriculture and Land Use Commission.

Your Committees find that the counties currently do not have the tools to efficiently address existing non-conforming agricultural district lands, which have residential subdivisions that should be reclassified to the rural district. Reclassification that is consistent with the county general plan and community development plans is the most effective means to align state and county land use policy that seeks to separate non-farm residential uses from bona fide farming. This measure will temporarily allow the counties to petition for the redistricting of land from the agricultural district to the rural district through the Land Use Commission's declaratory orders process, rendering state and county land use policy more consistent.

Your Committees have amended this measure by:

- (1) Inserting language specifying that the applicable county planning commission must provide required due process for district boundary amendments under constitutional and statutory law; and
- (2) Inserting language requiring the Office of Planning and Sustainable Development to appear as a party to every case of redistricting at both state and county levels to make recommendations addressing state interests and public trust issues.

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. 1542, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1542, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5; Ayes with Reservations (Elefante). Noes, none. Excused, none.

Government Operations: Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 3316 (Joint) Water and Land and Agriculture and Environment on H.B. No. 1545

The purpose and intent of this measure is to enable and encourage state and county agencies to engage in and implement long-term adaptation pathways planning, together with affected communities, to facilitate natural-resource conservation and reduce the loss of public and private infrastructure to damage associated with sea level rise and flooding by:

- (1) Requiring the Department of Land and Natural Resources, in coordination with the appropriate state and county agencies, to prepare plans to facilitate implementation of adaptation measures, including modification and ultimate relocation of development and infrastructure away from certain at-risk areas; and
- (2) Appropriating funds.

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 Climate Change Mitigation and Adaptation Commission; one member of the Maui County Council; University of Hawai'i Sea Grant Program; Climate Resilience Collaborative; Surfrider Foundation Hawai'i Region; and three individuals.

Your Committees received comments on this measure from Starn, O'Toole, Marcus, and Fisher and one individual.

Your Committees find that infrastructure and economic sectors across the State are threatened by rising sea levels. Your Committees further find that steps must be taken to mitigate sea level rise and its effects on vulnerable communities and crucial public trust resources, including sandy beaches and dune systems, which are valuable for their cultural importance and role in the ecosystem. This measure will encourage state and county agencies, in coordination with affected communities, to develop and implement long-term adaptation planning to conserve natural resources for future generations and curtail the losses of public and private infrastructure from damage associated with sea level rise and flooding.

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 Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1545, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1545, 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 (McKelvey).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Rhoads, Awa).

SCRep. 3317 Water and Land on H.B. No. 1546

The purpose and intent of this measure is to amend the definition of "beach restoration" used in laws governing the Board of Land and Natural Resources' powers to engage in beach restoration by expanding the types of activities the State recognizes as restorative and beneficial to beach lands in response to the increasing threat of sea level rise and beach loss.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Office of Planning and Sustainable Development; City and County of Honolulu Office of Climate Change, Sustainability and Resiliency; University of Hawai'i Sea Grant College Program; Climate Resilience Collaborative; Surfrider Foundation, Hawai'i Region; and five individuals.

Your Committee received comments on this measure from two individuals.

Your Committee finds that the current definition of "beach restoration" is limited to the placement of sand on a beach from outside sources such as streams, harbors, quarries, and offshore sand sources. In recent years, community organizations have expressed an interest in conducting related nature-based activities, including dune restoration, to promote a naturally resilient shoreline. This

measure will help protect and preserve Hawaii's coastlines by broadening the definition of "beach restoration" to include other beneficial activities.

Your Committee has amended this measure by clarifying that the definition of "beach restoration" means any activity undertaken to:

- (1) Maintain and improve beaches and dune systems through management of sand and native dune vegetation;
- (2) Remove abandoned remnant materials from beaches and dunes that pose a risk to public health and coastal ecosystems; or
- (3) Nourish eroded beaches through the placement of compatible sand from an outside or adjacent source, with or without stabilizing structures.

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. 1546, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1546, 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 (Chang, Fevella).

SCRep. 3318 Water and Land on H.B. No. 1923

The purpose and intent of this measure is to allow overnight camps in operation prior to January 1, 1961, to be regulated via the special permit process.

Your Committee received testimony in support of this measure from the Department of Agriculture; Office of Planning and Sustainable Development; Boy Scouts of America, Aloha Council; Kimokeo Foundation; Maui Surfer Girls, Inc.; Maui Chamber of Commerce; and one individual.

Your Committee received comments on this measure from the Land Use Commission.

Your Committee finds that in March 2023, the Hawaii Supreme Court ruled that the specific exclusion of overnight camps from the list of permitted uses in agricultural districts means that special permits cannot be issued for overnight camps in agricultural districts, reversing a prior Hawaii Supreme Court opinion that allowed for uses, such as overnight camps, to be approved via special permits if they were deemed to be an "unusual and reasonable" use in the agricultural district. Affected campgrounds would need to obtain a district boundary amendment to change the land use classification from agricultural to urban, though these campgrounds are in rural settings with no urban uses in the nearby vicinity. This measure repeals the prohibition on overnight camps in agricultural districts to allow these camps to operate with a special permit.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1923, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1923, 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 (McKelvey, Fevella).

SCRep. 3319 Water and Land on H.B. No. 1925

The purpose and intent of this measure is to:

- (1) Establish the Hawaii State Planning Act Phase II Task Force; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Agriculture; Office of Planning and Sustainable Development; Office of Hawaiian Affairs; Holomua Collaborative; Hawai'i Farm Bureau; aio; Hawai'i Gas; Hawaiian Host Group; HPM Building Supply; Title Guaranty of Hawai'i; Tori Richard, Ltd.; Mana Up; and one individual.

Your Committee received comments on this measure from the University of Hawai'i Economic Research Organization and Hawai'i Community Foundation.

Your Committee finds that since the completion of the first comprehensive review of the Hawaii State Planning Act in 1985, the State has experienced significant economic, physical, social, and technological changes, rendering the findings and recommendations made in that review outdated. Considering these circumstances, the Office of Planning and Sustainable Development completed Phase I of a comprehensive review of the Hawaii State Planning Act in 2018, which yielded findings and recommendations that provide a foundation and scope of a recommended Phase II update, including an approach to align current and emerging conditions and issues to enhance the effectiveness of planning, the needs of Hawai'i's people, and the future of the trajectory of the State. This measure will continue to build on the work done and involve the community in updating and simplifying the Hawaii State Plan.

Your Committee has amended this measure by:

- (1) Specifying that the Hawaii State Planning Act Phase II Task Force shall include the Chairperson of the Board of Trustees of the Office of Hawaiian Affairs, or their designee; and
- (2) Making 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. 1925, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1925, 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. 3320 Water and Land on H.B. No. 2361

The purpose and intent of this measure is to authorize the Hawaii Community Development Authority to render services to and assist state and county agencies upon request.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Department of Corrections and Rehabilitation; Department of Business, Economic Development, and Tourism; Hawai'i Community Development Authority; and one individual.

Your Committee finds that the Hawaii Community Development Authority (HCDA) wishes to utilize its cumulative experience and knowledge to assist other state and county agencies. Currently, section 206E-18, Hawaii Revised Statutes, allows state or county agencies to render services to the HCDA upon request, but does not authorize the HCDA to reciprocate. This measure clarifies that the HCDA may provide services to and assist state and county agencies on projects within and outside designated community development districts upon request.

Your Committee notes that other state agencies would benefit from the assistance and expertise of the HCDA. Therefore, your Committee recommends that this measure be amended to require rather than allow the HCDA to render services to a state or county agency upon request.

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 H.B. No. 2361, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2361, 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 (McKelvey, Fevella).

SCRep. 3321 Water and Land on H.B. No. 2365

The purpose and intent of this measure is to replace the Director of Law Enforcement with the Director of Corrections and Rehabilitation as a member of the Hawaii Interagency Council for Transit-Oriented Development.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation; Department of Business, Economic Development, and Tourism; Department of Law Enforcement; and Office of Planning and Sustainable Development.

Your Committee finds that the Hawaii Interagency Council on Transit Oriented Development (Council) advises on state facilities in transit-oriented development areas, including correctional and rehabilitation facilities over which the Director of Corrections and Rehabilitation has administrative responsibilities. Your Committee further finds that the Director of Corrections and Rehabilitation, rather than the Director of Law Enforcement, is better suited to serve on the Council. This measure ensures that the Department of Corrections and Rehabilitation continues to be involved in the planning and implementation of transit-oriented development across the State.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2365, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2365, 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 (McKelvey, Fevella).

SCRep. 3322 Water and Land on H.B. No. 2467

The purpose and intent of this measure is to repeal the sunset provision of Act 222, Session Laws of Hawaii 2021, to permanently allow the Board of Land and Natural Resources to approve rent credits for demolition and infrastructure costs for public land leases.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that Act 222, Session Laws of Hawaii 2021 (Act 222), authorizes the Board of Land and Natural Resources to approve rent credits to encourage lessees on public lands to conduct demolition work or improve infrastructure. Act 222 provides the Board of Land and Natural Resources with flexibility in its negotiations with lessees and incentivizes the development of public lands while shifting the financial burden to lessees who benefit most directly from the development of the land. Your Committee further finds that Act 222 is scheduled to sunset on June 30, 2026. This measure repeals the sunset provision of Act 222, securing the Board of Land and Natural Resources' authority to negotiate long-term leases and provide rent credit incentives for these kinds of investments.

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 H.B. No. 2467, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2467, 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 (McKelvey, Fevella).

SCRep. 3323 Water and Land on H.B. No. 2579

The purpose and intent of this measure is to:

- (1) Clarify 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, Session Laws of Hawaii 2018, except as otherwise provided therein;
- (2) Clarify that if the Board of Land and Natural Resources wishes to amend the terms of and conditions of any lease of public lands being extended 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; and
- (3) Define "lease of public lands".

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council, the Japanese Chamber of Commerce and Industry of Hawaii, Kanoelehua Industrial Area Association, and one individual.

Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and one individual.

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 (Board) to extend leases of public lands in the Hilo Community Economic District. However, language that explicitly allows the Board to unilaterally amend any terms and conditions of the extended lease to conform to the most current lease form and leasing practices and policies of the Board is missing from Act 149. Nevertheless, the Board 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. This measure will resolve any ambiguity regarding lease extensions within the Hilo community Economic District.

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. 2579, 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 (Chang, Fevella).

SCRep. 3324 Water and Land on H.B. No. 1554

The purpose and intent of this measure is to:

- (1) Clarify that the Department of Land and Natural Resources' rulemaking authority includes adopting, amending, or repealing any rule to impose restrictions or requirements deemed necessary to implement the purposes of section 187A-5, Hawaii Revised Statutes; and
- (2) Expand the Board of Land and Natural Resources' authority to temporarily adopt, amend, or repeal certain rules by formal action at a publicly noticed meeting if the Board of Land and Natural Resources finds that an adoption, amendment, or repeal is necessary to implement effective and adaptive management measures in light of newly available technology or in light of newly available data.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Kua'āina Ulu 'Auamo, and one individual.

Your Committee received testimony in opposition to this measure from the Hawaii Fishermen's Alliance for Conservation and Tradition and one individual.

Your Committee finds that the Department of Land and Natural Resources (Department) is responsible for ensuring healthy, well-managed fisheries in Hawaii and for protecting the State's aquatic resources from over-exploitation using management tools expressly authorized by the provisions of section 187A-5, Hawaii Revised Statutes, and other authorizing statutes. Despite the variety of management tools available, your Committee finds that broadening the suite of management tools would allow the Department to more effectively manage the State's aquatic resources. This measure expands the Board of Land and Natural Resources' adaptive management authority to encompass new information and new technology, allowing the Department to better manage the State's aquatic resources.

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. 1554, 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 (Chang, Fevella).

SCRep. 3325 Water and Land on H.B. No. 1581

The purpose and intent of this measure is to appropriate funds to the Department of Land and Natural Resources to develop a Native Plant Nurseries and Seed Bank Initiative Program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, University of Hawai'i System, Care for 'Āina Now Coalition, The Nature Conservancy, Lāhainā Strong, Hawai'i Forest Industry Association, Democratic Party of Hawai'i, and six individuals.

Your Committee finds that following the August 2023 Maui wildfires, the Speaker of the Hawaii House of Representatives established six bipartisan interim working groups tasked with evaluating specific topics in the aftermath of the wildfires and making recommendations for appropriate legislative action in the Regular Session of 2024. Your Committee further finds that the findings from the bipartisan interim working groups, specifically the Wildfire Prevention Working Group, highlight the urgent need for preventative action to mitigate the risks of wildfire across the State. This measure will adopt the recommendation of the Wildfire Prevention Working Group to increase support for native plant nurseries and seed bank initiatives, which aligns with the best practices in ecosystem restoration and wildfire risk reduction.

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. 1581, 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. 3326 Water and Land on H.B. No. 1900

The purpose and intent of this measure is to appropriate funds to improve the State's understanding of the complex hydrologic systems in Hawaii and provide additional resources for the Hawaii *Mesonet*.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Agriculture, Department of Hawaiian Home Lands, Honolulu Board of Water Supply, County of Hawai'i Department of Water Supply, University of Hawai'i, Ulupono Initiative, Hawai'i Farm Bureau, The Nature Conservancy, North Shore Hydrological Services, and one individual.

Your Committee received comments on this measure from Restore the Commons.

Your Committee finds that hydrologic data collection is critical to understanding trends, including climate change, affecting Hawaii's water resources. Your Committee further finds that the Hawaii *Mesonet* is a statewide advanced weather and climate monitoring network that collects high quality data, including data regarding hydrological processes. This measure will appropriate funds for the maintenance of the *Mesonet* to ensure that this system continues to provide high quality data or climate change into the future.

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. 1900, 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 (Chang, Fevella).

SCRep. 3327 Water and Land on H.B. No. 1922

The purpose and intent of this measure is to:

- (1) Expand the Department of Land and Natural Resources' rulemaking authority to include any rule deemed necessary to protect certain wildlife; and
- (2) Expand the Board of Land and Natural Resources' authority to timely adopt, amend, or repeal certain rules if the Board finds that action is necessary to implement effective and adaptive management measures in response to impacted natural resources or in light of newly available technology or data.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and two individuals.

Your Committee finds that newly available technology or data, or situations affecting natural resources may necessitate changes to the Department of Land and Natural Resources' rules and restrictions. This will measure enable the Department of Land and Natural Resources to respond to new technology or data or arising situations with greater flexibility.

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. 1922, 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, none. Excused, 2 (Chang, Fevella).

SCRep. 3328 (Joint) Water and Land and Energy, Economic Development, and Tourism on H.B. No. 2263

The purpose and intent of this measure is to continue to provide irrigation water to farm operations in East Kauai and support the water system by:

- (1) Appropriating funds to the Agribusiness Development Corporation for maintenance and improvements to the East Kauai Irrigation System; and
- (2) Creating and funding positions to maintain and improve the East Kauai Irrigation System.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Department of Hawaiian Home Lands; Agribusiness Development Corporation; Office of the Mayor of the County of Kauai; Office of Economic Development of the County of Kauai; Kaua'i Chamber; Larry Jeffs Farms, LLC; Local Food Coalition; Ulupono Initiative; Hawaii Cattlemen's Council, Inc.; and three individuals.

Your Committees find that repairs, renovation, and improvements are needed to maintain the century-old East Kauai Irrigation System as there is no reasonable replacement system. If the reservoir is decommissioned, 5,920 acres of agricultural land will dry up. This measure appropriates funds to the Agribusiness Development Corporation to maintain and improve the East Kauai Irrigation System, supporting both farm operations and the water system.

As affirmed by the records of votes of the members of your Committees on Water and Land and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2263, 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.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

SCRep. 3329 (Joint) Water and Land and Hawaiian Affairs on H.B. No. 2626

The purpose and intent of this measure is to specify certain findings the Board of Land and Natural Resources must make for a lease of a government-owned Hawaiian fishpond.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs; Office of the Mayor of the County of Maui; Kua'āina Ulu 'Auamo; Hawai'i Alliance for Progressive Action; Green Party Hawai'i; Hawai'i Food+ Policy; The Nature Conservancy; Maunaloa Fishpond Heritage Center; Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.; Hawai'i Land Trust; and forty-five individuals.

Your Committees received comments on this measure from one individual.

Your Committees find that traditional Hawaiian fishponds, or loko i'a, are culturally important and may be a potential solution to enhancing the food security of communities in Hawaii. This measure streamlines the process for the lease of government-owned fishponds, ensuring that traditional fishponds will be restored, cared for, and productive.

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 Water and Land and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2626, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2626, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 3. Noes, none. Excused, 2 (Chang, McKelvey).

Hawaiian Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 3330 (Joint) Water and Land and Agriculture and Environment on H.B. No. 2690

The purpose and intent of this measure is to:

- (1) Establish within the Office of the Chairperson of the Board of Land and Natural Resources a policy lead and coordinator for Red Hill Water Alliance Initiative (WAI) initiatives;
- (2) Create the Red Hill Remediation Special Fund; and
- (3) Appropriate funds.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, University of Hawai'i System, Sierra Club of Hawai'i, Democratic Party of Hawai'i, and Hawai'i Alliance for Progressive Action.

Your Committees received comments on this measure from the Department of Budget and Finance and one individual.

Prior to decision making on this measure, your Committees made available for public review a proposed S.D. 1 of this measure. The proposed S.D. 1 retained the contents of this measure and also inserted provisions that:

- (1) Repeal the position of Deputy to the Chairperson of the Commission on Water Resource Management (Commission) and establish the position of Executive Director of the Commission;
- (2) Amend the composition of the Commission and administratively attach it to the Department of Land and Natural Resources; and
- (3) Establish fines for certain water use offenses.

Your Committees received testimony in support of the proposed S.D. 1 from the Office of Hawaiian Affairs; Honolulu Board of Water Supply; Veterans for Peace, Chapter 113 Hawaii; Hui o Nā Wai 'Ehā; Chamber of Sustainable Commerce; Kupuna for the Mo'opuna; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and twenty individuals.

Your Committees received testimony in opposition to the proposed S.D.1 from the Department of the Attorney General.

Your Committees received comments on the proposed S.D. 1 from the Department of Land and Natural Resources.

Your Committees find that the protection and preservation of fresh water resources is of paramount importance. The State also has unique public trust responsibilities set forth in the Hawaii State Constitution to preserve and protect public trust resources, which includes water resources. Part I of this measure creates the Red Hill Remediation Special Fund and establishes within the Department of Land and Natural Resources a policy and lead coordinator for Red Hill WAI initiatives to ensure that there is clean water on Oahu for future generations.

Your Committees find that the proposed S.D. 1 further promotes fresh water rights and encourages the effective and efficient management of the State's water resources. Continuous and experienced leadership is needed for the Commission to administer and implement the State Water Code. Your Committees find that clarification of the Commission's purpose, reform of its leadership structure, and amendment to its composition will provide greater accountability and protection of the State's waters. To this end, the proposed S.D. 1 repeals the position of Deputy to the Chairperson of the Commission and establishes the position of Executive Director of the Commission (Executive Director), who shall be appointed by the Commission, to administer and implement, under the direction of the Commission, the State Water Code, the rules, and other directives adopted by the Commission.

Your Committees further find that the proposed S.D. 1 amends the composition of the Commission and administratively attaches it to the Department of Land and Natural Resources. According to testimony received by your Committees, there is concern that the current composition of the Commission makes it vulnerable to undue political influence that may hinder emergency action or enforcement of the State Water Code against wealthy and politically powerful interests. Your Committees further find that it is essential to ensure that the Commission is able to act independently in its administration and implementation of the State Water Code. The proposed S.D. 1 will protect the Commission from undue political influence by specifying that the Chairperson of the Commission shall be elected by a majority of members of the Commission. Your Committees note that the Chairperson of the Board of Land and Natural Resources and the Director of Health or their designee shall serve as ex officio, voting members of the Commission, but shall be ineligible to serve as Chairperson of the Commission. Your Committees also note that the Executive Director shall be evaluated according to annual goals, performance measures, and other relevant criteria to ensure that more objective standards are used to assess the performance of the Executive Director and the Commission's staff.

Your Committees also find that the proposed S.D. 1 establishes fines for certain water use offenses. Meaningful penalties are needed to deter violations of the State Water Code for the protection and preservation of the State's water resources. The proposed S.D. 1 will ensure that violators of the State Water Code are held accountable by authorizing the Commission to issue fines of up to \$25,000 on a case-by-case basis.

Finally, your Committees have heard testimony expressing concern that the Executive Director, and by extension, the Commission, be further insulated from external interests that may obstruct the Commission's administration and implementation of the State Water Code. Amendments to the proposed S.D. 1 to ensure the autonomy of the Commission are therefore needed.

Accordingly, your Committees have amended this measure by adopting the proposed S.D. 1 and by making further amendments:

- (1) Clarifying that the position of the WAI Policy Coordinator shall be placed within the Office of the Executive Director of the Commission, rather than the office of the Chairperson of the Board of Land and Natural Resources;
- (2) Inserting language that authorizes the Commission to employ outside legal counsel;
- (3) Inserting language that amends the scope of the Commission's authority to declare water emergencies;
- (4) Specifying that the nominating committee of the Commission shall include one person appointed by the Chief Executive Officer of the Office of Hawaiian Affairs;
- (5) Inserting language that authorizes entities to challenge an emergency order of the Commission under certain conditions;
- (6) Inserting an effective date of July 1, 2050, to encourage further discussion;
- (7) Amending section 1 to reflect its amended purpose;
- (8) Amending section 7 to reflect its amended purpose; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water and Land and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2690, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2690, 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.

Water and Land: Ayes, 4; Ayes with Reservations (Elefante, Fevella). Noes, none. Excused, 1 (McKelvey).

Agriculture and Environment: Ayes, 3; Ayes with Reservations (DeCoite, Richards). Noes, none. Excused, 2 (Rhoads, Awa).

SCRep. 3331 Water and Land on H.B. No. 2471

The purpose and intent of this measure is to establish a statutory framework for inspections of public land leases, licenses, and revocable permits by the Department of Land and Natural Resources; provided that:

- (1) The inspections may be conducted by qualified third-party inspectors contracted by the Department of Land and Natural Resources but paid for by the lessee, licensee, or permittee, as applicable; and
- (2) If the inspection identifies items needing repair or replacement, the lessee, licensee, or permittee shall be required to make the necessary repair or replacement at their expense or risk termination of their land disposition.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that the House Investigative Committee established under House Resolution No. 164 of the 2021 Regular Session recommended that the Department of Land and Natural Resources (Department) select third-party inspectors to conduct physical inspections of leased properties at the expense of the lessee. The House Investigative Committee further recommended that the lessee be required to take any corrective actions recommended by the third-party inspector. This measure will improve public safety and ensure that public lands leased by the Department are well taken care of.

Your Committee has amended this measure by:

- (1) Deleting all references to revocable permits;
- (2) Deleting language that would have specified that notice of inspections shall be given in accordance with the terms and conditions of the lease, license, or revocable permit, or in writing in the event that the applicable disposition document is silent as to the notice required;
- (3) Deleting language that would have specified that no notice shall be required for inspections conducted in response to an emergency; and
- (4) Deleting the definition of “emergency”.

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. 2471, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2471, 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, none. Excused, 2 (McKelvey, Fevella).

SCRep. 3332 (Joint/Majority) Water and Land and Commerce and Consumer Protection on H.B. No. 2475

The purpose and intent of this measure is to, for purposes of regulating commercial activity under the laws regulating ocean recreation:

- (1) Provide that advertisements and offers of unpermitted commercial ocean use activities or commercial ocean recreational equipment are prima facie evidence that:
 - (A) The owner disseminated or directed dissemination of the advertisements or offers; and
 - (B) The commercial activity is operated at the location advertised or offered; and
- (2) Include advertisements and offers within the definition of “commercial activity”.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Kua‘āina Ulu ‘Auamo, Maui Chamber of Commerce, and seven individuals.

Your Committees received testimony in opposition to this measure from the Hawaii Fishing and Boating Association and one individual.

Your Committees find that the overcommercialization of state ocean waters has been unnaturally encouraged by social media and through unpermitted ocean tour operators who advertise and operate without regard for laws, rules, regulations, and cultural awareness. These unpermitted commercial operators set up advertisements and online payment schemes circumventing commercial ocean activity laws and restrictions, making it difficult for the Department of Land and Natural Resources agents to enforce laws against illegal commercial activity. This measure strengthens the Department of Land and Natural Resources’ enforcement authority by allowing it to regulate the offering and advertisement of illegal commercial activity.

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 Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2475, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2475, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
Water and Land: Ayes, 4. Noes, none. Excused, 1 (Chang).
Commerce and Consumer Protection: Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 3333 Water and Land on H.B. No. 2478

The purpose and intent of this measure is to authorize the Governor to execute a compact on behalf of the State to cooperate in the Pacific States Marine Fisheries Commission.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Hawaii Fishermen’s Alliance for Conservation and Tradition.

Your Committee finds that the Pacific States Marine Fisheries Commission (PSMFC) is an interstate compact agency that helps state resource management agencies and the fishing industry sustainably manage Pacific Ocean resources, particularly those that cross jurisdictional boundaries. While the PSMFC possesses no regulatory or management authority, it provides a number of vital functions that are relevant to the State, such as a forum for the discussion of interstate fisheries resource management, coordinating fisheries-related research and management projects, and the dispersal of federal fishery disaster funds. This measure will make the State

member of the PSMFC, which may be a valuable contributor toward the members' mutual goal of better managing pacific ocean fishery resources.

Your Committee has amended this measure by specifying that at least one commissioner appointed to the Pacific State Marine Fisheries Commission shall have knowledge of Native Hawaiian cultural fishing practices and shall serve as a representative of the Native Hawaiian fishing community.

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. 2478, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2478, 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 (Chang, Fevella).

SCRep. 3334 Water and Land on H.B. No. 2505

The purpose and intent of this measure is to:

- (1) Increase the fines for violations of land use laws; and
- (2) Impose enhanced fines for developers and owners of Important Agricultural Lands who repeatedly use the lands for unintended purposes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and two individuals.

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

Your Committee finds that the State is constitutionally required to conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency, and assure the availability of agriculturally suitable lands. Your Committee further finds that there are individuals who exploit the Important Agricultural Land designation for personal or financial gain, undermining the State's efforts to support a diversity of agricultural activities and opportunities that expand agricultural income and job opportunities and increase agricultural self-sufficiency for current and future generations. This measure ensures that Important Agricultural Lands are used as intended by imposing harsher penalties on those who misuse these lands.

Your Committee has amended this measure by clarifying that developers and owners of Important Agricultural Lands who have been granted a Special Use Permit by the Land Use Commission or appropriate County Planning Commission shall not be subject to the penalties imposed by this measure.

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. 2505, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2505, 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 (McKelvey, Fevella).

SCRep. 3335 Water and Land on H.B. No. 2611

The purpose and intent of this measure is to support efficient, equitable, and reliable services for conveyance transactions and records in the State by:

- (1) Statutorily establishing a transaction fee for each recording in the Bureau of Conveyances and Land Court for certain services rendered by the Bureau of Conveyances;
- (2) Authorizing the Board of Land and Natural Resources to adopt, amend, or repeal administrative fees under chapters 501 and 502, Hawaii Revised Statutes, separate from the administrative rulemaking process;
- (3) Amending the authorized use of moneys in the Bureau of Conveyance Special Fund; and
- (4) Repealing language that required fees for the use of microfilms of documents recorded in the Bureau of Conveyances to be established by the Department of Land and Natural Resources by rules.

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 NAIOP Hawaii.

Your Committee finds that Act 120, Session Laws of Hawaii 2009, created a \$5 transaction fee that was applied to all regular system recordings, allowing the Bureau of Conveyances to improve the automation and integrity of its recording process. Your Committee further finds that there is a fee discrepancy between the regular system and Land Court system, although the Office of the Assistant Registrar of the Land Court provides similar recordation services to the Bureau of Conveyances. This measure statutorily establishes equitable fee assessments in both recording systems to fund further improvements to the efficiency, reliability, and automation of these systems.

Your Committee has amended this measure by:

- (1) Deleting language that would have authorized the Board of Land and Natural Resources to adopt, amend, or repeal administrative fees pursuant to chapters 501 and 502, Hawaii Revised Statutes, and established requirements for such;
- (2) Making conforming amendments;

- (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. 2611, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2611, 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 (Chang).

SCRep. 3336 Commerce and Consumer Protection on H.B. No. 2298

The purpose and intent of this measure is to:

- (1) Establish a timeline by which roasted coffee, instant coffee, and ready-to-drink coffee beverages that use a geographic origin in labeling or advertising are required to contain a certain percent coffee by weight from that geographic origin;
- (2) Require wholesalers to sell off their inventory of roasted coffee, instant coffee, or ready-to-drink coffee beverages in anticipation of the phased-in labeling requirements taking effect; and
- (3) Exempt retailers that do not package roasted coffee, instant coffee, or ready-to-drink coffee beverages from liability for the sale of roasted coffee, instant coffee, or ready-to-drink coffee beverages that use a label or advertisement in violation of the coffee labeling law.

Your Committee received testimony in support of this measure from the Department of Agriculture; one member of the Hawai'i County Council; Guard Well Farm; Kanalani Ohana Farm; Kona Coffee Farmer's Association; A Coffee Farm; Morning Glory Farms; RC Farm LLC; Bea's Knees Farm; Mo Snell's Kona Coffee Farm; Hawaii Coffee Growers Association; Island Harvest Inc.; Synergistic Hawaii Agriculture Council; Mai Mahealani Farm LLC; The Buna Coffee Company; LavaRock Farm; Hawai'i Farm Bureau; Kona Coffee Farmers Association; Ka'awaloa Trail Farm; Cyanotech Corporation; Ka'u Coffee Mill; Greenwell Farms; Hawaii Coffee Association; Hawai'i Farmers Union United; Mountain Thunder Coffee Plantation; Chamber of Sustainable Commerce; Kona Amor; Olakino Coffee Farm; Greenwell Farms, Inc.; and twenty-three individuals.

Your Committee received testimony in opposition to this measure from the Kona Coffee Council, Hawaii Coffee Company, Makapueo Farms, Menehune Coffee Company, Genesis Properties LLC, Coffea Consulting, Hawaii's Thousand Friends, and fifteen individuals.

Your Committee received comments on this measure from the Hawaii Food Industry Association, 'Apapane Coffee Farm, Kona Sunset Coffee LLC, Domain Kona, and nine individuals.

Your Committee finds that the State has not adequately protected the integrity of premium, high-value names of local coffee origin regions, such as "Kona", "Kau", or "Kauai", by continuing to allow coffee blends that contain only very small amounts of coffee beans from these distinctive regions to use the name of those regions on product packaging. Your Committee believes that this practice deceives consumers and harms the integrity and economy of local coffee growers. Accordingly, this measure amends the coffee labeling laws to increase transparency, protect consumers and local coffee producers, and preserve the high-quality reputation of Hawaii-grown coffee.

Your Committee has amended this measure by:

- (1) Restoring language from the original version of this measure that established a timeline that makes it a violation to use a geographic origin in labeling or advertising of roasted coffee, instant coffee, and ready-to-drink coffee beverages if:
 - (A) Beginning July 1, 2024, less than twenty-five percent coffee by weight is from that geographic origin;
 - (B) Beginning July 1, 2025, less than fifty percent coffee by weight is from that geographic origin;
 - (C) Beginning July 1, 2026, less than seventy-five percent coffee by weight is from that geographic origin; and
 - (D) Beginning July 1, 2027, less than one hundred percent coffee by weight is from that geographic origin;
- (2) Deleting language that would have required wholesalers to sell off their inventory of roasted coffee, instant coffee, or ready-to-drink coffee beverages in anticipation of the phased-in labeling requirements taking effect;
- (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 H.B. No. 2298, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2298, 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 (McKelvey, Richards). Noes, none. Excused, 1 (Awa).

SCRep. 3337 (Joint) Commerce and Consumer Protection and Health and Human Services on H.B. No. 1830

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;
- (2) Authorize insurance reimbursements for these individuals, and certain supervised social worker interns, in certain circumstances;
- (3) Require psychologist license applicants to possess a doctoral degree and complete certain supervised experience requirements before sitting for the licensing examination; and
- (4) Make an appropriation for an unspecified number of full-time equivalent (FTE) positions to process provisional license applications and for the Department of Commerce and Consumer Affairs to update their internal database for the new license types and associated requirements.

Your Committees received testimony in support of this measure from the Board of Psychology, State Council on Mental Health, Disability and Communication Access Board, Department of Health, Office of Wellness and Resilience, Hawaii Disability Rights Center, Mental Health America of Hawai'i, Present Mind Institute of Hawaii, Parents and Children Together, Hawaii Substance Abuse Coalition, Hawai'i Counselors Association, Brighter Bound, Fujimoto Counseling Services LLC, Pukalani Family Practice and Urgent Care, Hawai'i Psychological Association, National Association of Social Workers – Hawai'i Chapter, Hawaiian Islands Association for Marriage and Family Therapy, AlohaCare, and forty-eight individuals.

Your Committees received comments on this measure from the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs and Hawaii Medical Service Association.

Your Committees find that there is a critical shortage of mental health professionals in Hawaii. To help alleviate the high demand for mental health services, and for clinical training purposes, associate-level practitioners that have completed rigorous educational and professional development requirements should be authorized to render certain professional mental health treatment services, so long as they are practicing under licensed clinical supervision. Your Committees find that while these important and necessary services provided by associate-level practitioners do in fact allow them to fulfill certain post-degree, pre-license clinical hours required for full licensure status, almost all of these mental health professionals otherwise go unpaid for the valuable services that they perform. This has caused many talented professionals who would have otherwise stayed in Hawaii to permanently move to one of the many other states where insurance reimbursements are allowed for associate level professionals. Therefore, this measure provides a framework to authorize insurance reimbursements for certain mental health practitioners in training to enable and encourage these future mental health professionals to remain in the State. Further, this measure clarifies certain licensing examination requirements for psychologist license applicants.

Your Committees have amended this measure by:

- (1) Clarifying the educational requirements necessary to obtain a provisional license as an associate marriage and family therapist;
- (2) Clarifying the educational requirements necessary to obtain a provisional license as an associate mental health counselor;
- (3) Clarifying that the exemption from the state psychologists licensing law shall apply to any person who is a student of psychology or enrolled in a professional psychology training program defined under chapter 465, Hawaii Revised Statutes, to prevent students of other professions related to psychology from qualifying under the exemption;
- (4) Authorizing psychologist license applicants that possess an associate psychologist provisional license to sit for their licensing examination before, rather than after, completing certain post-doctoral license experience requirements;
- (5) Inserting language to limit the waiver period to a maximum of one year for any waiver granted by the Board of Psychology to a psychologist that is not able to obtain licensure within the statutory two-year period if the psychologist can demonstrate that the delay was caused by circumstances beyond the psychologist's control;
- (6) Amending section 1 to reflect its amended purpose; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection 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. 1830, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1830, 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, 4. Noes, none. Excused, 1 (McKelvey).

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3338 (Joint) Agriculture and Environment and Commerce and Consumer Protection on H.B. No. 1688

The purpose and intent of this measure is to:

- (1) Require the Department of Health to:
 - (A) Conduct a statewide needs assessment to determine what would be needed to transition to a more circular system with less waste generation, more reuse, and an extended producer responsibility program for packaging materials and paper products;
 - (B) Convene an advisory council to review the draft needs assessment and propose recommendations throughout the assessment process;
 - (C) Hold a public hearing to obtain comments on a draft needs assessment plan; and

- (D) Complete and submit the needs assessment, including any proposed legislation, to the Legislature by December 31, 2026; and
- (2) Appropriate an unspecified amount of funds for the Department of Health to conduct the statewide needs assessment to inform the future establishment of an extended producer responsibility program.

Your Committees received testimony in support of this measure from the Hawaii Climate Change Mitigation and Adaptation Commission, Kauai Climate Action Coalition, Environmental Caucus of the Democratic Party of Hawai'i, Product Stewardship Institute, Retail Merchants of Hawaii, Just Zero, Hawai'i Reef and Ocean Coalition, Climate Protectors Hawai'i, Citizens' Climate Lobby Hawai'i, Hawaii Environmental Change Agents Solid Waste Reduction Task Force, Zero Waste Hawai'i Island, and twelve individuals.

Your Committees received testimony in opposition to this measure from Recycle Hawaii, Clean the Pacific, and five individuals.

Your Committees received comments on this measure from the Department of Health, Chamber of Sustainable Commerce, and American Beverage Association.

Your Committees find that most packaging waste in the State is handled in a linear manner and that, under current practices, solid waste may soon exceed landfill capacity in all counties. Your Committees further find that additional resources, facilities, and services will be needed to address this issue. According to testimony received by your Committees, the needs assessment required in this measure is the first step to implementing an effective extended producer responsibility program to reuse and refill packaging materials, divert organic materials, and recycle paper waste.

Your Committees have amended this measure by:

- (1) Extending the deadline for the Department of Health to complete and submit the needs assessment to the Legislature from December 31, 2026, to December 31, 2027;
- (2) Inserting an appropriation amount of \$1,000,000; 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 Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1688, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1688, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the President and the Chair on behalf of the Committees.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Rhoads).

Commerce and Consumer Protection: Ayes, 5; Ayes with Reservations (McKelvey). Noes, none. Excused, none.

SCRep. 3339 Transportation and Culture and the Arts on H.B. No. 1577

The purpose and intent of this measure is to authorize tow operators to charge an additional amount for overturned vehicles.

Your Committee received testimony in support of this measure from Honolulu Towing Inc.

Your Committee received testimony in opposition to this measure from Agasiva and Sons Towing.

Your Committee received comments on this measure from the Office of Consumer Protection of the Department of Commerce and Consumer Affairs and SS Towing HI.

Your Committee finds that towing companies often provide emergency accident recovery services, responding to and recovering vehicles overturned in accidents. Your Committee further finds that in many cases, the costs of labor, equipment, and resources far exceed the fees that tow companies are able to charge based on existing statute. This measure will ensure that tow companies are able to adequately cover the costs of challenging vehicle recovery scenarios and continue to provide critical services throughout the State.

Your Committee has amended this measure by:

- (1) Deleting language that would have authorized a towing company to be entitled to an additional unspecified dollar amount for towing of an overturned vehicle left unattended on private and public property pursuant to section 290-11, Hawaii Revised Statutes;
- (2) Inserting language that:
 - (A) Changes the fees to an unspecified amount that a towing company may charge to tow vehicles left unattended on private and public property;
 - (B) Authorizes a towing company or parking management company to charge a maximum fee of an unspecified amount for parking control or the placement or removal of vehicle immobilization devices;
 - (C) Requires that a towing company that charges fees to tow vehicles left unattended on private and public property, or a towing company or parking management company that charges fees for the placement or removal of vehicle immobilization devices, to accept payment by the vehicle owner for charges by cash, credit card, and debit card;
 - (D) Provides that a towing company shall not direct an individual to use an on-site automated teller machine in lieu of accepting payment by credit card and debit card; and
 - (E) Requires a minimum period of twelve hours before the issuance of a ticket for a violation or commencement of a tow when parked in a legal public stall, unless otherwise directed by law enforcement in the case of an emergency; and

(3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that this measure contains an effective date of July 1, 3000.

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. 1577, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1577, H.D. 1, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Inouye). Noes, none. Excused, 1 (Awa).

SCRep. 3340 Transportation and Culture and the Arts on H.B. No. 1936

The purpose and intent of this measure is to require the Department of Transportation to require that the securing of mooring lines from vessels to commercial docks, wharves, piers, quays, and landings be performed by labor subject to collective bargaining.

Your Committee received testimony in support of this measure from International Longshore and Warehouse Union Local 142 and fifty-seven individuals.

Your Committee received testimony in opposition to this measure from the Hawaii Shippers' Council.

Your Committee received comments on this measure from the Department of Transportation, Department of the Attorney General, Public Utilities Commission, Hawai'i Gas, and Building Industry Association of Hawaii.

Your Committee finds that Hawaii relies on the State's harbor system for the majority of imported goods that are processed each day. Your Committee further finds that it is imperative to the State's supply chain to ensure safety when securing mooring lines from vessels requiring tug assistance within a commercial harbor. This measure will ensure skilled local workers handle harbor operations by requiring that the securing of mooring lines from vessels to commercial docks, wharves, piers, quays, and landings be performed by labor subject to collective bargaining.

Your Committee has amended this measure by adding language to the legislative findings to emphasize the necessity of experienced local longshore workers to improve harbor 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. 1936, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1936, 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 (Awa).

SCRep. 3341 (Majority) Transportation and Culture and the Arts on H.B. No. 2112

The purpose and intent of this measure is to require persons operating mopeds in the State to carry an insurance policy.

Your Committee received testimony in opposition to this measure from Hawaiian Style Rentals & Sales; Mopeds Direct, Inc.; Moped Doctors; Moped Garage; and thirteen individuals.

Your Committee finds that existing statute does not require moped owners to purchase and carry an insurance policy for their mopeds. Your Committee further finds that according to state data, there were four hundred seventeen crashes involving mopeds in 2023, two hundred forty-one of which involved another motor vehicle. This measure requires moped owners to purchase an insurance policy, protecting moped operators and other persons and property involved in a collision.

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 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. 2112, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2112, 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, 3. Noes, 1 (Inouye). Excused, 1 (Awa).

SCRep. 3342 (Joint) Transportation and Culture and the Arts and Government Operations on H.B. No. 2446

The purpose and intent of this measure is to authorize:

- (1) The Examiner of Drivers to suspend the driver's license of a person who violates certain regulations relating to the use of disability parking permits;
- (2) Each county to enact ordinances to enforce the design and construction requirements for the provision of accessible parking spaces, including the establishment of penalties for failure to comply with the ordinances; and
- (3) Officials appointed by a county to enter the property of places of public accommodation to enforce violations of the county ordinances.

Your Committees received testimony in support of this measure from the Hawaii State Council on Developmental Disabilities, Disability and Communication Access Board, Retail Merchants of Hawaii, and six individuals.

Your Committees find that the Statewide Parking Program for persons with disabilities provides individuals with mobility disabilities the ability to travel and park in accessible parking spaces via the use of parking placards and is administered by the Disability and Communication Access Board. Your Committees further find that currently, improper use and insufficient enforcement impact access for legitimate program participants. This measure will assure appropriate use of placards by expanding enforcement at the municipal level.

Your Committees have amended this measure by restoring a provision from House Bill No. 2446, H.D. 1, that required the court to distribute fifty percent of the fines imposed upon a person who violates certain regulations for the use of disability parking permits to the law enforcement agency that issued the citation.

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 H.B. No. 2446, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2446, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Kanuha).

Government Operations: Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Wakai).

SCRep. 3343 Transportation and Culture and the Arts on H.B. No. 2015

The purpose and intent of this measure is to require the Department of Transportation to identify an emergency egress route other than Komo Mai Drive from Pacific Palisades or, if no other route can be found, determine the feasibility of constructing an alternate emergency egress route.

Your Committee received testimony in support of this measure from the Pearl City Neighborhood Board.

Your Committee finds that Pacific Palisades is extremely vulnerable to natural disasters, including but not limited to hurricanes and flash flooding. Your Committee further finds that over the past two decades, the residents of Pacific Palisades have, at times, been unable to leave or return to the community due to water main breaks, tree fallings, road flooding, traffic accidents, police investigations, and other incidents that required the closure of Komo Mai Drive. This measure will help provide residents of Pacific Palisades with an emergency egress route in the event of an emergency or natural disaster.

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. 2015, 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 (Awa).

SCRep. 3344 Transportation and Culture and the Arts on H.B. No. 1539

The purpose and intent of this measure is to:

- (1) Increase fines for violations of certain traffic laws and required motor vehicle insurance minimums;
- (2) Establish minimum and maximum sentences for persons convicted of violations of certain traffic laws; and
- (3) Amend the minimum liability coverage thresholds to unspecified amounts.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii Association for Justice, and eight individuals.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender, American Property Casualty Insurance Association of America, Hertz Corporation, State Farm Mutual Automobile Insurance Company, and three individuals.

Your Committee received comments on this measure from the Department of the Attorney General; Department of Commerce and Consumer Affairs' Insurance Division; Hawaii Insurers Council; and Turo, Inc.

Your Committee finds that as overall traffic fatalities and injuries have increased in recent years, there has been a dramatic increase in traffic violations committed by repeat offenders, including driving without a license, speeding, and committing other traffic violations. Your Committee recognizes the need for greater safeguards and deterrents to protect the safety and welfare of the State's residents. This measure will increase fines for repeat offenders to prevent hazardous driving.

Your Committee has amended this measure by:

- (1) Establishing penalties for the placement of any device upon a vehicle designed to immobilize the vehicle without consent of the owner of the vehicle;
- (2) Inserting language that establishes a separate prohibition on driving motor vehicles having noisy mufflers on public highways in high-density areas;
- (3) Inserting language that defines "high-density areas";
- (4) Inserting unspecified penalty amounts, imprisonment sentences, community service times, and insurance amounts;
- (5) Inserting language that establishes tiered fines for violations of motor scooter muffler regulations;
- (6) Inserting language that establishes tiered fines for violations of motor vehicle muffler regulations;

- (7) Amending section 1 to reflect its amended purpose; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the House Draft 1 of this measure contains unspecified insurance liability coverage minimums. Should your Committees on Judiciary and Consumer Protection choose to deliberate on this measure, your Committee respectfully requests that they consider minimum bodily injury liability insurance levels of \$25,000 per person and \$50,000 per accident.

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. 1539, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1539, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Elefante, Inouye). Noes, none. Excused, 1 (Awa).

SCRep. 3345 Transportation and Culture and the Arts on H.B. No. 1932

The purpose and intent of this measure is to:

- (1) Authorize the Department of Transportation to acquire, including by condemnation, any real, personal, or mixed property for immediate or future use and own, hold, improve, rehabilitate, sell, assign, exchange, transfer, convey, lease, or dispose of the property acquired;
- (2) Amend the definition of "public lands" to exclude lands to which the Department of Transportation holds title; and
- (3) Authorize the Department of Transportation to directly acquire any real property for its purposes.

Your Committee received testimony in support of this measure from the Department of Transportation and Signature Aviation.

Your Committee finds that the acquisition of real property in the State is a responsibility of the Board of Land Natural Resources. As the title holder, the Board of Land and Natural Resources must be involved in the review and approval of leases operated solely by the Department of Transportation, leading to delays and inefficiencies in the Department's administration of the State's airports and harbors. This measure streamlines the administrative processes related to the management and improvement of transportation systems, enabling the Department of Transportation to deliver projects and provide improvements that benefit the public.

Your Committee has amended this measure by:

- (1) Authorizing the Department of Transportation to acquire, or contract to acquire, property for projects relating to climate mitigation and adaptation, noise and visual buffer zones and barriers, and ground transportation facilities pursuant to section 264-142, Hawaii Revised Statutes;
- (2) Inserting language requiring the sale or disposal of property by the Department of Transportation to be subject to the existing process in section 171-53, Hawaii Revised Statutes;
- (3) Authorizing the Director of Transportation to expend funds appropriated by the Legislature for the acquisition, management, or maintenance of property for projects relating to climate mitigation and adaptation and visual and noise buffer zones and barriers; 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. 1932, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1932, 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 (Awa).

SCRep. 3346 (Joint) Health and Human Services and Higher Education on H.B. No. 2504

The purpose and intent of this measure is to:

- (1) Establish a cigarette floor inventory tax on the stock inventory of cigarettes held by licensees before any increase in cigarette and tobacco tax laws is assessed and levied; and
- (2) Amend the cigarette tax rate and specify the disposition of revenues collected at the amended rate to the Hawaii Cancer Research Special Fund, Trauma System Special Fund, Community Health Centers Special Fund, and Emergency Medical Services Special Fund.

Your Committees received testimony in support of this measure from the Department of Health; American Lung Association in Hawaii; University of Hawai'i Cancer Center; Hawaii Substance Abuse Coalition; Hawai'i Pacific Health; American Cancer Society Cancer Action Network Inc.; Hawai'i Public Health Institute; Hawai'i Primary Care Association; American Heart Association, Inc.; University of Hawaii Professional Assembly; and two individuals.

Your Committees received testimony in opposition to this measure from the Hawaii Smokers Alliance; Cigar Association of America, Inc.; and three individuals.

Your Committees received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, and Tax Foundation.

Your Committees find that tobacco use is the leading cause of preventable cancer and other health problems, and that raising taxes on tobacco products has been proven to decrease tobacco consumption. Your Committees further find that funding for the University of Hawaii Cancer Center and their research, treatment, and educational initiatives are critical in addressing the pressing health needs of our community in combating cancer. This measure increases the tax on tobacco products and allocates the revenue to various special funds, including the Hawaii Cancer Research Special Fund, to be used for cancer research to reduce the prevalence of smoking and smoking-related illnesses. Moneys in the fund will also be used to support the work of the University of Hawaii Cancer Center to conduct groundbreaking research, expand access to life-saving treatments, and bolster community outreach and education efforts.

Your Committees have amended this measure by:

- (1) Deleting language that would have established a cigarette floor inventory tax to on the stock inventory of cigarettes held by licensees;
- (2) Inserting language that expands the cigarette tax levied upon a wholesaler or dealer under section 245-3, Hawaii Revised Statutes, to include electronic smoking devices and e-liquids sold, used, or possessed on and after July 1, 2024;
- (3) Inserting language that disposes 1.0 cents of the moneys collected under the tax imposed on cigarettes, electronic smoking devices, and e-liquid sold, used, or possessed by a wholesaler or dealer after June 30, 2024, to the credit of the Tobacco Enforcement Special Fund established pursuant to section 28-15, Hawaii Revised Statutes; provided that the disposition shall not exceed \$500,00 in a fiscal year;
- (4) Inserting language that amends section 304A-2168, Hawaii Revised Statutes, that governs the Hawaii Cancer Research Special Fund to:
 - (A) Repeal the provision that allows moneys in the special fund to be used for the Cancer Research Center of Hawaii's research expenses;
 - (B) Allow philanthropic donations received in conjunction with programs of the Cancer Research Center of Hawaii to be deposited into the special fund;
 - (C) Require the University of Hawaii's semi-annual report to the Legislature on the moneys in the special fund to explain in detail, all income, in addition to all expenditures, from the special fund;
 - (D) Prohibit the Cancer Research Center of Hawaii's Early Clinical Trial Program from receiving any moneys from the special fund; and
 - (E) Require annual reporting of the financial status of the Early Clinical Trial Program to the Legislature beginning January 1, 2025; and
- (5) 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 Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2504, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2504, 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 (Awa).

Higher Education: Ayes, 5. Noes, none. Excused, none.

SCRep. 3347 (Joint) Commerce and Consumer Protection and Energy, Economic Development, and Tourism on H.B. No. 2686

The purpose and intent of this measure is to:

- (1) Amend the laws relating to the Hawaii Hurricane Relief Fund and Hawaii Property Insurance Association;
- (2) Expand the Hawaii Property Insurance Association's authority to include the issuance of property insurance other than fire insurance for certain real properties organized as a condominium;
- (3) Reinstate the special mortgage recording fee;
- (4) Explicitly authorize the Hawaii Property Insurance Association to issue property insurance policies to certain condominiums outside of areas designated for coverage by the Hawaii Property Insurance Association;
- (5) Mandate that the Hawaii Property Insurance Association member insurers recoup assessment costs; and
- (6) Amend specific coverage limits, fund capitalization amounts, and assessment percentages by deleting specified dollar amount percentages and authorize the Hawaii Hurricane Relief Fund and the Hawaii Property Insurance Association boards to recommend appropriate amounts and percentages to the Insurance Commissioner.

Your Committees received testimony in support of this measure from the Hawaii Green Infrastructure Authority; Hawaii Insurers Council; Hawai'i Association of REALTORS; Hawaii Credit Union League; Hawaii Bankers Association; First Insurance Company of Hawaii; Mortgage Bankers Association of Hawaii; Honolulu Tower AOA; Community Associations Institute; Hawaii First Realty LLC, Hawaii Financial Services Association; Zephyr Insurance Company, Inc.; and seventeen individuals.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs, Department of Taxation, State Farm Mutual Automobile Insurance Company, Tax Foundation of Hawaii, Land Use Research Foundation of Hawaii, and Maui Chamber of Commerce.

Your Committees find that the increasing risk of hurricanes due to climate change coupled with prior high-cost accumulated losses associated with failing water pipe systems, have caused many insurers that offer condominium building master insurance policies in Hawaii to significantly increase their premium rates or exit the local market entirely. This has left many associations faced with the difficult choice of either paying drastically higher premiums or allowing their condominium buildings to be under-insured. Your Committees find that temporary assistance is necessary to help stabilize the condominium property insurance market until market conditions improve and risks become more insurable, and therefore this measure expands the markets of last resort in the State by enabling the Hawaii Property Insurance Association and the Hawaii Hurricane Relief Fund to underwrite certain insurance risks that no standard insurer is willing to underwrite.

Your Committees note that the new definition of “condominium”, as proposed in this measure, imposes new requirements of “insurability”, “remediation plans”, and “timetables” on all condominium properties without defining the insurance benefits such properties would gain through the review process. Your Committees also note the concerns raised in testimony concerning the transient accommodations tax structure, the ability to ensure adequate liquidity of the Hawaii Hurricane Relief Fund, and the recoupment of assessment language for the Hawaii Property Insurance Association, proposed in this measure in its current form, and find that amendments to this measure are necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Deleting language that would have deposited certain percentages of the taxes levied, assessed, and collected with regard to the transient vacation rentals to various trust accounts and inserting language that, beginning January 1, 2026:
 - (A) Requires an unspecified percentage of tax revenues to be deposited quarterly into the Mass Transit Special Fund; and
 - (B) Requires unspecified dollar amounts to be allocated to trust accounts pursuant to sections 431:21-105 and 431P-16, Hawaii Revised Statutes, from the transient accommodations tax;
- (2) Inserting language to increase from 4.265 percent to 4.275 percent the tax on gross premiums charged against each authorized insurer pursuant to section 431:7-202(a), Hawaii Revised Statutes;
- (3) Amending certain reporting requirements to require the Hawaii Property Insurance Association and the Hawaii Hurricane Relief Fund to submit reports to the Insurance Commissioner and Legislature, rather than just the Insurance Commissioner, for transparency, and clarifying the financial information that shall be included in the annual report;
- (4) Amending the recoupment of assessments language concerning the Hawaii Property Insurance Association and Hawaii Hurricane Relief Fund to clarify that member insurers and property and casualty insurers are authorized to use any excess recovery assessments as an offset to subsequent assessments, rather than require insurers to provide pro rata credits to policyholders’ premiums;
- (5) Restoring language in existing law regarding the Hawaii Hurricane Relief Fund’s powers to assess insurers following a loss from a covered event known as the second assessment, including language that:
 - (A) Allows the Fund to increase the rate of assessment to an amount not to exceed five percent, and to include the insurer’s gross direct written premiums for motor vehicle insurance in this State;
 - (B) Requires the Fund to assess insurers that acted as servicing facilities during the twelve months ending at the start of the month preceding the month in which the covered event occurs at a rate of 1.5 percent of the total coverage provided by the Fund under its hurricane property insurance policies;
 - (C) Sets forth how the second assessment is administered; and
 - (D) Allows certain net accumulated moneys, commitments, and bonds to be used if losses from a covered event exceed the assessment pursuant to section 431P-5(b)(8)(B), Hawaii Revised Statutes, rather than section 431P-5(b)(8)(A), Hawaii Revised Statutes;
- (6) Deleting language that would have placed a cap on the surcharge levied by the Hawaii Hurricane Relief Fund at two percent, and restoring language in existing law that places a cap of seven and one-half percent a year;
- (7) Inserting legislative findings and updating 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 Commerce and Consumer Protection and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2686, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2686, H.D. 1, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

Energy, Economic Development, and Tourism: Ayes, 5; Ayes with Reservations (Kim, Wakai, Fevella). Noes, none. Excused, none.

SCRep. 3348 Commerce and Consumer Protection on H.B. No. 2801

The purpose and intent of this measure is to allow condominiums to be eligible for commercial property assessed financing, also known as commercial property assessed clean energy and resiliency, or C-PACER financing.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Office of Planning and Sustainable Development; Hawaii Green Infrastructure Authority; Hawaii State Energy Office; City and County of Honolulu Department of Budget and Fiscal Services; City and County of Honolulu Board of Water Supply; City and County of Honolulu Office of Climate Change; Sustainability and Resiliency; one member of the Honolulu City Council; Hawai'i Association of REALTORS; Holomua Collaborative; C-Pace Alliance, Inc.; Petros PACE Finance, LLC; Hawaii Insurers Council; Hawaii Laborers-Employers Cooperation and Education Trust; United Association of Plumbers and Fitters of Hawaii, Local 675; Laborer's International Union of North America--Local 368; Hawaii Solar Energy Association; AARP Hawai'i; Hawaii First Realty LLC; Palehua Townhouse Association; Ulupono Initiative; CastleGreen Finance, LLC; Hawai'i Energy; aio; Hawai'i Gas; Hawai'i Community Foundation; HPM Building Supply; Hawaii Venture Capital Association; Mana Up; Tori Richard, Ltd.; The Association of Apartment Owners of Pat's at Punalu'u, Inc.; and five individuals.

Your Committee received testimony in opposition of this measure from two individuals.

Your Committee received comments on this measure from the Hawaii Credit Union League, Hawaii Bankers Association, and Mortgage Bankers Association of Hawaii.

Your Committee finds that the tragic fire that occurred in 2017, at the Marco Polo high-rise condominium in Honolulu, resulting in four deaths and the damage or destruction of approximately two hundred units in the building, brought to light the consequences that can occur when a residential high-rise building lacks an automatic fire sprinkler system. While county ordinances have been enacted to require older high-rise buildings to either install fire sprinkler systems or pass a safety evaluation, many high-rise buildings have been slow to comply due to the high cost of installation. Your Committee finds that allowing residential high-rise condominium properties to participate in commercial property assessed financing (C-PACER), which generally provides financing at more attractive rates and terms than are available with conventional financing, can help high-rise buildings install these necessary and lifesaving fire safety systems, as well as incentivize other high-rise buildings already in compliance with county fire safety requirements to install other high-cost but valuable improvements, such as renewable energy systems. Therefore, this measure allows high-rise residential condominium properties to participate in C-PACER financing.

Notwithstanding, your Committee has heard the testimony of the Hawaii Green Infrastructure Authority, noting that the counties have indicated their preference to outsource all aspects of the C-PACER program to the Hawaii Green Infrastructure Authority and requesting that certain amendments be made to the measure in its current form to address this issue.

Subsequent 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 allows high-rise residential condominium properties to be eligible for C-PACER financing and delegates all existing administrative responsibilities of the counties under C-PACER to the Hawaii Green Infrastructure Authority.

Your Committee has amended this measure by adopting the proposed S.D. 1 and further amending it by:

- (1) Amending its legislative findings to delete inaccurate statements pertaining to high-rise condominium properties;
- (2) Replacing references to condominiums with condominium associations to maintain consistency with chapter 514B, Hawaii Revised Statutes, relating to condominiums;
- (3) Inserting language that defines "property owner" in section 196-61, Hawaii Revised Statutes;
- (4) Deleting language that would have amended the definition of "commercial property" to include "any long-term care or assisted living facility", which is independently eligible for C-PACER financing;
- (5) Clarifying that the definition of "commercial property" includes any condominium organized under chapter 514B, Hawaii Revised Statutes, consisting of six or more units; provided that individual residential condominium units shall not be considered commercial property and shall be ineligible to apply for C-PACER financing under part IV of chapter 196, Hawaii Revised Statutes;
- (6) Clarifying that the principal amount of financing made pursuant to section 196-64.5, Hawaii Revised Statutes, in the case of a condominium, shall be a governmental lien against the condominium association;
- (7) Inserting language that a condominium organized under chapter 514B, Hawaii Revised Statutes, entering into a C-PACER financing assessment contract shall provide evidence of the written consent of each creditor with a valid Uniform Commercial Code financing statement or mortgage recorded with the bureau of conveyances that encumbers or otherwise secures the condominium;
- (8) Reinstating language in section 196-64.5, Hawaii Revised Statutes, that the lien of general real property taxes or any other assessments levied under section 46-80, Hawaii Revised Statutes, or any other lien foreclosed shall not accelerate or extinguish the remaining term of the commercial property assessed financing assessment;
- (9) Inserting language that before commercial property assessed financing program assessments are imposed upon a project, a commercial property assessed financing contract must be entered into by a condominium association with an approved commercial property assessed financing lender and the Hawaii Green Infrastructure Authority; 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2801, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2801, 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 (McKelvey, Awa).

SCRep. 3349 Commerce and Consumer Protection on H.B. No. 2700

The purpose and intent of this measure is to:

- (1) Establish the Hawaii Wildfire Relief Fund and Hawaii Wildfire Relief Fund Corporation to provide compensation for property damage resulting from catastrophic wildfires in the State;
- (2) Require the Corporation's board to report to the Legislature; and
- (3) Appropriates funds.

Your Committee received testimony in support of this measure from Hawaiian Electric, Hawaiian Telcom, International Brotherhood of Electrical Workers Local 1260, Hawai'i Farm Bureau, Clearway Energy Group, Ulupono Initiative, Kona-Kohala Chamber of Commerce, AES Hawai'i, Par Hawaii, Kapolei Chamber of Commerce, Chamber of Commerce Hawaii, Maui Chamber of Commerce, Retail Merchants of Hawaii, and forty-six individuals.

Your Committee received testimony in opposition to this measure from the State Farm Mutual Automobile Insurance Company and Hawaii Association for Justice.

Your Committee received comments on this measure from the Office of the Governor, Department of Commerce and Consumer Affairs, Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Office of the Auditor, Public Utilities Commission, Tax Foundation of Hawaii, and Kaua'i Island Utility Cooperative.

Your Committee finds that the rise of global temperatures associated with climate change have increased the risk of catastrophic wildfires around the globe, costing approximately \$50 billion in annual average costs, according to the World Economic Forum. As insurance markets have been roiled by the rising frequency of catastrophic wildfires and floods, new and innovative strategies for loss mitigation and cost recovery are necessary to supplement traditional insurance risk management approaches. Your Committee finds that collectively, the State, counties, utilities, private companies, and large property owners can share their capacities and resources to capitalize, as a supplemental form of self-insurance, a relief fund that can help address the risk of future catastrophic wildfires in Hawaii, and therefore this measure establishes the Hawaii Wildfire Relief Fund and Hawaii Wildfire Relief Fund Corporation to provide community-contributed compensation for property damage resulting from wildfires.

Your Committee notes the concerns raised by testifiers that the measure as written includes certain limitations on claims against contributors or their affiliates, employees, agents, or insurers, which could preclude all property damage claims against fund contributors for any disaster in the future caused by the contributors. Your Committee finds that this issue merits further consideration and respectfully requests that subsequent Committees to which this measure is referred consider this issue should they choose to deliberate on this measure.

Your Committee further finds that it is imperative that electric utilities develop, implement, and administer effective plans for wildfire risk mitigation. During 2019 and 2020, a resilience working group, convened to identify resilience threat scenarios and potential grid impacts, key customer and infrastructure sector capabilities and needs following a severe event and loss of power, and gaps and priorities in grid and customer capabilities following a severe event and loss of power. The resilience working group identified wildfires as one of five types of severe events of utmost importance to consider for achieving a resilient grid and provided resilience options for utilities to consider.

Your Committee finds that securitization may be the most efficient, least-cost way to finance wildfire risk mitigation costs and expenses because utility rate securitization transactions have an extensive track record of success. Bonds securitized by the right to recover rates receive investment grade credit ratings from credit rating agencies and thus provide a means of securing capital at a lower interest rate than those currently available to utilities, in particular utilities without an investment grade credit rating. Therefore, your Committee finds it necessary to create a process whereby electric utilities develop and submit effective risk-based wildfire risk protection plans that are approved, and if necessary modified by, the Public Utilities Commission, which enable electric utilities to timely recover the prudently incurred costs and expenses of developing, implementing, and administering those plans and the costs and expenses are not borne disproportionately by any particular ratepayer or county.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the Auditor shall conduct an annual "financial" audit of the Hawaii Wildfire Relief Fund Corporation and Wildfire Relief Fund, and further clarifying that the audit required shall be conducted using both generally accepted accounting principles and the generally accepted government auditing standards, rather than using both generally accepted accounting principles and the statutory accounting principles published by the National Association of Insurance Commissioners;
- (2) Removing telecommunications service providers from the list of entities identified as being able to participate in the Wildfire Relief Fund as contributors;
- (3) Authorizing the Public Utilities Commission to determine a cap on the percentage of a public utility's contributions to the Wildfire Relief Fund, including initial and supplemental contributions, that may be recovered from its customers in rates, unless the Commission directs otherwise;
- (4) Inserting as a new Part II of this measure, language recently developed by the Department of the Attorney General in consultation with the State Bond Counsel to develop a potential alternative financing mechanism to securitization that could potentially be used to fund the Hawaii Wildfire Relief Fund Corporation and Wildfire Relief Fund;
- (5) Amending section 1 to further clarify its intended 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2700, H.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2700, H.D. 3, 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 (McKelvey, Awa).

SCRep. 3350 (Joint) Housing and Health and Human Services on S.C.R. No. 17

The purpose and intent of this measure is to request the Hawaii Public Housing Authority to utilize the State's Rental Supplement Program to provide homeowners insurance premium assistance to housing owners who rent or lease to qualified kupuna a mortgaged property within designated lava zones.

Your Committees received testimony in support of this measure from three individuals.

Your Committees received comments on this measure from the Hawaii Public Housing Authority.

Your Committees find that housing in the lava zones was once an affordable option for many residents, but the growing insurance expenses have resulted in higher rents being charged in the area to offset the insurance increases. Your Committees also find that the high cost of living in the State, fixed income and complex health needs of older adults, rapidly increasing rents, and the declining availability of affordable housing make rental assistance for qualifying older adults a necessity. Therefore, this measure requests help to provide homeowners insurance premium assistance to housing owners who rent or lease to qualified kupuna to reduce their rent costs.

Your Committees note the Hawaii Public Housing Authority's request for an appropriation should this program be implemented.

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 concur with the intent and purpose of S.C.R. No. 17 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.
Housing: Ayes, 5. Noes, none. Excused, none.
Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Shimabukuro).

SCRep. 3351 (Joint) Housing and Health and Human Services on S.R. No. 9

The purpose and intent of this measure is to request the Hawaii Public Housing Authority to utilize the State's Rental Supplement Program to provide homeowners insurance premium assistance to housing owners who rent or lease to qualified kupuna a mortgaged property within designated lava zones.

Your Committees received comments on this measure from the Hawaii Public Housing Authority.

Your Committees find that housing in the lava zones was once an affordable option for many residents, but the growing insurance expenses have resulted in higher rents being charged in the area to offset the insurance increases. Your Committees also find that the high cost of living in the State, fixed income and complex health needs of older adults, rapidly increasing rents, and the declining availability of affordable housing make rental assistance for qualifying older adults a necessity. Therefore, this measure requests help to provide homeowners insurance premium assistance to housing owners who rent or lease to qualified kupuna to reduce their rent costs.

Your Committees note the Hawaii Public Housing Authority's request for an appropriation should this program be implemented.

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 concur with the intent and purpose of S.R. No. 9 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.
Housing: Ayes, 5. Noes, none. Excused, none.
Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Shimabukuro).

SCRep. 3352 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 48

The purpose and intent of this measure is to urge the Department of Law Enforcement, fire departments and police departments of each county, humane societies in each county, and media organizations throughout the State to collaborate to create and disseminate public service announcements to highlight the dangers of, and advocate against the use of, illegal fireworks to protect the health and safety of the community, pets, and wildlife.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that illegal fireworks in Hawaii pose a significant safety, environmental, and health issue. Your Committee further finds that the effects of illegal fireworks are significant and wide-ranging, including the physical injuries to and psychological effects on individuals, to the displacement of pets, and the negative impact on wildlife. Your Committee concludes that a public service announcement regarding the dangers of fireworks is necessary to protect communities, pets, and wildlife.

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. 48 and recommends that it be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3353 Public Safety and Intergovernmental and Military Affairs on S.R. No. 36

The purpose and intent of this measure is to urge the Department of Law Enforcement, fire departments and police departments of each county, humane societies in each county, and media organizations throughout the State to collaborate to create and disseminate public service announcements to highlight the dangers of, and advocate against the use of, illegal fireworks to protect the health and safety of the community, pets, and wildlife.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that illegal fireworks in Hawaii pose a significant safety, environmental, and health issue. Your Committee further finds that the effects of illegal fireworks are significant and wide-ranging, including the physical injuries to and psychological effects on individuals, to the displacement of pets, and the negative impact on wildlife. Your Committee concludes that a public service announcement regarding the dangers of fireworks is necessary to protect communities, pets, and wildlife.

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. 36 and recommends that it be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3354 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 95

The purpose and intent of this measure is to encourage the United States Congress to pass the Nurture Originals, Foster Art, and Keep Entertainment Safe Act of 2023 (NO FAKES Act) and the No Artificial Intelligence Fake Replicas And Unauthorized Duplications Act of 2024 (No AI FRAUD Act).

Your Committee received testimony in support of this measure from SAG-AFTRA; Hawaii Ports Maritime Council, AFL-CIO; Hawaii State AFL-CIO; IATSE Local 665; and five individuals.

Your Committee finds that the technology to produce, disseminate, and exploit media content utilizing generative and traditional artificial intelligence has exploded and evolved significantly in recent years. Your Committee further finds that there are currently two bipartisan efforts to protect individuals against artificial intelligence abuse and establish a framework to assert that every individual has a property right to their own likeness and voices. Your Committee concludes that it is imperative for the United States Congress to pass these bipartisan bills, the Nurture Originals, Foster Art, and Keep Entertainment Safe Act of 2023 (NO FAKES Act) and the No Artificial Intelligence Fake Replicas And Unauthorized Duplications Act of 2024 (No AI FRAUD Act) or similar legislation as a safeguard against the exploitation of artists, creative professionals, and individuals by unfettered artificial intelligence technology.

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. 95 and recommends that it be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3355 Public Safety and Intergovernmental and Military Affairs on S.R. No. 81

The purpose and intent of this measure is to encourage the United States Congress to pass the Nurture Originals, Foster Art, and Keep Entertainment Safe Act of 2023 (NO FAKES Act) and the No Artificial Intelligence Fake Replicas And Unauthorized Duplications Act of 2024 (No AI FRAUD Act).

Your Committee received testimony in support of this measure from SAG-AFTRA; Hawaii Ports Maritime Council, AFL-CIO; Hawaii State AFL-CIO; IATSE Local 665; and five individuals.

Your Committee finds that the technology to produce, disseminate, and exploit media content utilizing generative and traditional artificial intelligence has exploded and evolved significantly in recent years. Your Committee further finds that there are currently two bipartisan efforts to protect individuals against artificial intelligence abuse and establish a framework to assert that every individual has a property right to their own likeness and voices. Your Committee concludes that it is imperative for the United States Congress to pass these bipartisan bills, the Nurture Originals, Foster Art, and Keep Entertainment Safe Act of 2023 (NO FAKES Act) and the No Artificial Intelligence Fake Replicas And Unauthorized Duplications Act of 2024 (No AI FRAUD Act) or similar legislation as a safeguard against the exploitation of artists, creative professionals, and individuals by unfettered artificial intelligence technology.

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. 81 and recommends that it be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3356 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 109

The purpose and intent of this measure is to urge the United States Congress to adopt the Social Security 2100 Act.

Your Committee received testimony in support of this measure from the Democratic Party of Hawai'i.

Your Committee finds that the Social Security Act was originally passed in 1935 to provide essential benefits and financial security to retired individuals, senior citizens, and persons with disabilities. Your Committee further finds that as a result of the retirement of the large baby boomer generation, it is projected that under existing law, the trust fund reserves for the Old-Age and Survivors Insurance Trust Fund and Disability Insurance Trust Fund will be depleted by 2034. Your Committee concludes that it is imperative that Social Security remains a well-funded public entitlement without being privatized through self-directed retirement accounts that would subject beneficiaries, and particularly retiree savings accounts, to considerable risk and redirect Social Security assets into the coffers of Wall Street brokerages and investment banks.

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. 109 and recommends that it be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3357 Public Safety and Intergovernmental and Military Affairs on S.R. No. 91

The purpose and intent of this measure is to urge the United States Congress to adopt the Social Security 2100 Act.

Your Committee received testimony in support of this measure from the Democratic Party of Hawai'i.

Your Committee finds that the Social Security Act was originally passed in 1935 to provide essential benefits and financial security to retired individuals, senior citizens, and persons with disabilities. Your Committee further finds that as a result of the retirement of the large baby boomer generation, it is projected that under existing law, the trust fund reserves for the Old-Age and Survivors Insurance Trust Fund and Disability Insurance Trust Fund will be depleted by 2034. Your Committee concludes that it is imperative that Social Security remains a well-funded public entitlement without being privatized through self-directed retirement accounts that would subject beneficiaries, and particularly retiree savings accounts, to considerable risk and redirect Social Security assets into the coffers of Wall Street brokerages and investment banks.

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. 91 and recommends that it be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3358 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 196

The purpose and intent of this measure is to apply to the United States Congress to call an Article V Convention to propose certain limited amendments to the United States Constitution.

Your Committee received testimony in support of this measure from Convention of States Action, Convention of States Action Hawaii, and seventeen individuals.

Your Committee finds that the concentration of power at the federal level has made federal officials less responsive to the will of the people and more readily influenced by lobbyists, wealthy corporations, and special interest groups. Your Committee further finds that policy decisions made at the state level may be more responsive to the people's needs. This measure will restore the responsiveness of the federal government to the people and restrain federal abuses of power by applying for a convention in accordance with Article V of the United States Constitution to propose amendments to the Constitution.

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. 196 and recommends that it be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4; Ayes with Reservations (Elefante, Rhoads). Noes, none. Excused, 1 (Awa).

SCRep. 3359 (Majority) Public Safety and Intergovernmental and Military Affairs on S.R. No. 168

The purpose and intent of this measure is to apply to the United States Congress to call an Article V Convention to propose certain limited amendments to the United States Constitution.

Your Committee received testimony in support of this measure from Convention of States Action, Convention of States Action Hawaii, and two individuals.

Your Committee finds that the concentration of power at the federal level has made federal officials less responsive to the will of the people and more readily influenced by lobbyists, wealthy corporations, and special interest groups. Your Committee further finds that policy decisions made at the state level may be more responsive to the people's needs. This measure will restore the responsiveness of the federal government to the people and restrain federal abuses of power by applying for a convention in accordance with Article V of the United States Constitution to propose amendments to the Constitution.

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. 168 and recommends that it be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 3; Ayes with Reservations (Elefante). Noes, 1 (Rhoads). Excused, 1 (Awa).

SCRep. 3360 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 197

The purpose and intent of this measure is to urge state departments to require households impacted by the Lahaina fires to exhaust their insurance policies before requesting financial support from the State.

Your Committee received no testimony on this measure.

Your Committee finds that the recent August 2023 Maui wildfires have caused significant devastation to Lahaina and communities in Hawaii, leaving many individuals and families in need of assistance. Your Committee further finds that many households impacted by the wildfires may have insurance policies that could provide financial assistance to cover damages and losses incurred during the wildfires, including temporary housing assistance. Your Committee concludes that it is necessary to allow the State to prioritize its limited resources to those most in need by urging state departments to require households impacted by the August 2023 Maui wildfires to exhaust their insurance policies before requesting financial support from the State.

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. 197 and recommends that it be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3361 Public Safety and Intergovernmental and Military Affairs on S.R. No. 169

The purpose and intent of this measure is to urge state departments to require households impacted by the Lahaina fires to exhaust their insurance policies before requesting financial support from the State.

Your Committee received no testimony on this measure.

Your Committee finds that the recent August 2023 Maui wildfires have caused significant devastation to Lahaina and communities in Hawaii, leaving many individuals and families in need of assistance. Your Committee further finds that many households impacted by the wildfires may have insurance policies that could provide financial assistance to cover damages and losses incurred during the wildfires, including temporary housing assistance. Your Committee concludes that it is necessary to allow the State to prioritize its limited resources to those most in need by urging state departments to require households impacted by the August 2023 Maui wildfires to exhaust their insurance policies before requesting financial support from the State.

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. 169 and recommends that it be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3362 Education on S.C.R. No. 142

The purpose and intent of this measure is to urge the Department of Education to study the impact of teacher salary step movements on salary schedule compression.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association, Democratic Party of Hawai'i, Education Caucus of the Democratic Party of Hawai'i, and two individuals.

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

Your Committee finds that the salary schedule for Hawaii public school teachers includes steps, or annual increments, that are commensurate with years of service. Teacher salary step movements determine the career progression of educators and their compensation within the Hawaii public school system. However, teachers have not received regular step movements, resulting in some highly experienced teachers with decades of experience earning no more than a teacher with significantly fewer years of experience. Additionally, salary schedule compression has been identified as one factor affecting recruitment, retention, and morale of highly qualified educators in the State. Accordingly, this measure urges the Department of Education to study the impact of teacher salary step movements to ensure informed policy decisions and fair, competitive compensation for teachers.

Your Committee has amended this measure by:

- (1) Adding the Director of Human Resources Development to the list of recipients of certified copies; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 142, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as S.C.R. No. 142, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Richards).

SCRep. 3363 Education on S.R. No. 171

The purpose and intent of this measure is to urge the Department of Education to study the impact of teacher salary step movements on salary schedule compression.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association, Democratic Party of Hawai'i, and Education Caucus of the Democratic Party of Hawai'i.

Your Committee finds that the salary schedule for Hawaii public school teachers includes steps, or annual increments, that are commensurate with years of service. Teacher salary step movements determine the career progression of educators and their compensation within the Hawaii public school system. However, teachers have not received regular step movements, resulting in some highly experienced teachers with decades of experience earning no more than a teacher with significantly fewer years of experience. Additionally, salary schedule compression has been identified as one factor affecting recruitment, retention, and morale of highly qualified educators in the State. Accordingly, this measure urges the Department of Education to study the impact of teacher salary step movements to ensure informed policy decisions and fair, competitive compensation for teachers.

Your Committee has amended this measure by:

- (1) Adding the Director of Human Resources Development to the list of recipients of certified copies; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 171, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as S.R. No. 171, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Richards).

SCRep. 3364 Housing on S.C.R. No. 6

The purpose and intent of this measure is to approve the dedication of Kukuia Street, Lahaina, Hawaii, to the County of Maui.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Housing Finance and Development Corporation; Department of Business, Economic Development, and Tourism; and one member of the Maui County Council.

Your Committee finds that the Hawaii Housing Finance and Development Corporation acquired over five hundred acres of land in 1994 from the Department of Land and Natural Resources for the development of the Villages at Leiali'i housing project in Lahaina. At the time of the transfer, the land was undeveloped and the construction of streets and infrastructure was required to support the housing project. As the Hawaii Housing Finance and Development Corporation is not in the business of maintaining streets and roadways, the Corporation generally dedicates those that it develops to the respective county upon completion of the construction. County oversight for Kukuia Street will allow greater flexibility for development plans in the surrounding area and support public safety. The dedication of roads to a county represents a conveyance of lands and is subject to the requirements of section 171-64.7, Hawaii Revised Statutes, which requires the approval of the Legislature by concurrent resolution to be adopted by at least a two-third majority vote. This measure is therefore necessary to approve the dedication of Kukuia Street to the County 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 Housing 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 that it be referred to your Committee on Ways and Means, in the form attached hereto as S.C.R. No. 6, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Kanuha, Awa).

SCRep. 3365 Housing on S.C.R. No. 56

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to adopt administrative rules to prohibit Rental Housing Revolving Fund loan forgiveness.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the State's Rental Housing Revolving Fund (RHRF) provides equity gap low-interest loans to qualified developers constructing affordable housing units, which is funded by state taxpayers, namely revenues from the conveyance tax and from general appropriations made by the Legislature. Your Committee also finds that repayment does not begin until after senior debt has been fully repaid, often in year thirty-one, with developers able to refinance RHRF debt from private sector banks to repay the RHRF early, but developers rarely do so because they have no incentive to do so. Your Committee also finds that forgiving RHRF loans to private developers amounts to a free gift of taxpayer funds to private entities. Further, developers continue to own the property and realize all future equity. Therefore, this measure requests the Hawaii Housing Finance and Development Corporation to prohibit the forgiveness of Rental Housing Revolving Fund loans to ensure the availability of future funds to create more housing.

Your Committee has amended this measure by:

- (1) Clarifying the Hawaii Housing Finance and Development Corporation is urged to adopt administrative rules that prohibit Rental Housing Revolving Fund loan forgiveness unless the Corporation repossesses the project;
- (2) Inserting language urging the Hawaii Housing Finance and Development Corporation to prohibit the issuance of grants from the Rental Housing Revolving Fund;
- (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 Housing that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 56, as amended herein, and recommends that it be referred to your Committee on Judiciary, in the form attached hereto as S.C.R. No. 56, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3366 Housing on S.R. No. 45

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to adopt administrative rules to prohibit Rental Housing Revolving Fund loan forgiveness.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the State's Rental Housing Revolving Fund (RHRF) provides equity gap low-interest loans to qualified developers constructing affordable housing units, which is funded by state taxpayers, namely revenues from the conveyance tax and from general appropriations made by the Legislature. Your Committee also finds that repayment does not begin until after senior debt has been fully repaid, often in year thirty-one, with developers able to refinance RHRF debt from private sector banks to repay the RHRF early, but developers rarely do so because they have no incentive to do so. Your Committee also finds that forgiving RHRF loans to private developers amounts to a free gift of taxpayer funds to private entities. Further, developers continue to own the property and realize all future equity. Therefore, this measure requests the Hawaii Housing Finance and Development Corporation to prohibit the forgiveness of Rental Housing Revolving Fund loans to ensure the availability of future funds to create more housing.

Your Committee has amended this measure by:

- (1) Clarifying the Hawaii Housing Finance and Development Corporation is urged to adopt administrative rules that prohibit Rental Housing Revolving Fund loan forgiveness unless the Corporation repossesses the project;
- (2) Inserting language urging the Hawaii Housing Finance and Development Corporation to prohibit the issuance of grants from the Rental Housing Revolving Fund;
- (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 Housing that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 45, as amended herein, and recommends that it be referred to your Committee on Judiciary, in the form attached hereto as S.R. No. 45, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3367 Health and Human Services on S.C.R. No. 177

The purpose and intent of this measure is to request the Department of Budget and Finance to work with the State Council on Developmental Disabilities to enhance the Hawaii Achieving a Better Life Experience (ABLE) Savings Program by promoting it to all individuals who may qualify.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Executive Office on Aging, Hawaii Disability Rights Center, and one individual.

Your Committee finds that the Hawaii Achieving a Better Life Experience (ABLE) Savings Program provides individuals with disabilities access to the same types of flexible savings accounts that are available to individuals without disabilities, such as college savings accounts, for which interest earned on savings is tax-exempt. Furthermore, an ABLE account allows 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 also finds that there are approximately forty-three thousand individuals who are eligible for the Hawaii ABLE Savings Program; however, many of them are either unaware of the program or are reluctant to enroll due to lack of information about the program. 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 engage in financial planning and save money for their futures.

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. 177 and recommends that it be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3368 Health and Human Services on S.R. No. 153

The purpose and intent of this measure is to request the Department of Budget and Finance to work with the State Council on Developmental Disabilities to enhance the Hawaii Achieving a Better Life Experience (ABLE) Savings Program by promoting it to all individuals who may qualify.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Executive Office on Aging, and Hawaii Disability Rights Center.

Your Committee finds that the Hawaii Achieving a Better Life Experience (ABLE) Savings Program provides individuals with disabilities access to the same types of flexible savings accounts that are available to individuals without disabilities, such as college

savings accounts, for which interest earned on savings is tax-exempt. Furthermore, an ABLE account allows 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 also finds that there are approximately forty-three thousand individuals who are eligible for the Hawaii ABLE Savings Program; however, many of them are either unaware of the program or are reluctant to enroll due to lack of information about the program. 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 engage in financial planning and save money for their futures.

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. 153 and recommends that it be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3369 Transportation and Culture and the Arts on S.C.R. No. 180

The purpose and intent of this measure is to urge Turo, Inc., to immediately cease and desist listing any state airport parking lot as a vehicle pick-up site on Turo's digital platform.

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

Your Committee received comments on this measure from Turo, Inc.

Your Committee finds that the proliferation of online car-sharing platforms, including Turo, Inc., has exacerbated the scarcity of available parking spaces at State airports. Your Committee further finds that there are existing statutes and administrative rules aimed at regulating commercial activities at airports, including peer-to-peer car sharing. Your Committee concludes that it is imperative to regulate platforms like Turo, Inc., in order to address the challenges posed by the insufficient number of parking stalls at airports in 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. 180 and recommends that it 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. 3370 Transportation and Culture and the Arts on S.R. No. 155

The purpose and intent of this measure is to urge Turo, Inc., to immediately cease and desist listing any state airport parking lot as a vehicle pick-up site on Turo's digital platform.

Your Committee received testimony in support of this measure from Airlines Committee of Hawaii, Fair Wind Cruises, and one individual.

Your Committee received comments on this measure from Turo, Inc.

Your Committee finds that the proliferation of online car-sharing platforms, including Turo, Inc., has exacerbated the scarcity of available parking spaces at State airports. Your Committee further finds that there are existing statutes and administrative rules aimed at regulating commercial activities at airports, including peer-to-peer car sharing. Your Committee concludes that it is imperative to regulate platforms like Turo, Inc., in order to address the challenges posed by the insufficient number of parking stalls at airports in 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. 155 and recommends that it 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. 3371 Health and Human Services on Gov. Msg. No. 555

Recommending that the Senate advise and consent to the nomination of the following:

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

G.M. No. 555 ANNE CHIPCHASE, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Anne Chipchase for service on the State Council on Developmental Disabilities.

Your Committee received testimony in support of the nomination for the appointment of Anne Chipchase from the State Council on Developmental Disabilities and Hawaii Disability Rights Center.

Upon review of the testimony, your Committee finds that Ms. Chipchase's background and dedication to providing health care to her community qualify her to be nominated for appointment to the State Council on Developmental Disabilities as a member representing the state protection and advocacy system. Your Committee notes that Ms. Chipchase is currently serving as an advocate for the Hawaii Disability Rights Center. Ms. Chipchase has an extensive history contributing to her community's health needs, serving as a Licensed Certified Medicare Agent for Pacific Benefit Options since 2021, Senior Engagement Partner for Ohana Health Plan, Inc.

from 2008 to 2019, and Director of Development for National Kidney Foundation of Hawaii from 2006 to 2007. Your Committee also finds that Ms. Chipchase is a respected member of several advocacy groups and charitable organizations including the Honolulu Community Action Program and Palolo Lions Club. Your Committee further finds that Ms. Chipchase has a thorough understanding of the role and responsibilities of council members and her experience in advertising, marketing, and community relations will enhance the effectiveness of the State Council on Developmental Disabilities. Your Committee therefore recommends that Anne Chipchase be appointed to the State Council on Developmental Disabilities based on her knowledge, background, and dedication 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, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 3372 Health and Human Services on Gov. Msg. No. 566

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF DIRECTORS OF THE HAWAI'I HEALTH SYSTEMS CORPORATION

G.M. No. 566 LISA RANTZ, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Lisa Rantz for service on the Board of Directors of the Hawai'i Health Systems Corporation.

Your Committee received testimony in support of the nomination for the appointment of Lisa Rantz from the Hawai'i Health Systems Corporation and one individual.

Upon review of the testimony, your Committee finds that Ms. Rantz's background and dedication to serving the public qualify her to be nominated for appointment to the Board of Directors of the Hawai'i Health Systems Corporation as an at-large voting member. Your Committee notes that Ms. Rantz has been serving as the Executive Director for the Hilo Medical Center Foundation since 2014. In her role as Executive Director, Ms. Rantz has helped grow the Foundation's outreach and program efforts, including developing programs to assist researchers, educators, policymakers, and rural residents to address changing rural environments by identifying and advocating for rural health issues and policy changes. Previously, Ms. Rantz obtained leadership experience as Director of Achievement for Catapult Learning from August 2013 to November 2014, and Executive Director for Friendly Community Outreach Center from June 2010 to August 2013. Your Committee notes Ms. Rantz's extensive history of community service, including serving as the President of the Hawaii State Rural Health Association since 2019, and member of the Hawaii Medical Education Council since 2018. Your Committee also finds that Ms. Rantz received her Bachelor of Arts in Social Science, Magna Cum Laude from Chapman University. Your Committee further finds that Ms. Rantz has a thorough understanding of the role and responsibilities of board members and her extensive experience in management, non-profit organizations, and community outreach will enhance the effectiveness of the Board. Your Committee therefore recommends that Lisa Rantz be appointed to the Board of Directors of the Hawai'i Health Systems Corporation based on her knowledge, background, and commitment to rural health in 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, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 3373 Health and Human Services on Gov. Msg. No. 607

Recommending that the Senate advise and consent to the nomination of the following:

ADMINISTRATOR, STATE HEALTH PLANNING & DEVELOPMENT AGENCY

G.M. No. 607 JOHN (JACK) LEWIN, for a term to expire 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by John (Jack) Lewin for service as the Administrator of the State Health Planning and Development Agency administratively attached to the Department of Health.

Your Committee received testimony in support of the nomination for the appointment of John (Jack) Lewin from the Department of Health; Department of Human Services; Executive Office on Aging; Hawaii Medical Service Association; Ohana Health Plan, Inc.; AlohaCare; Hawaii Disability Rights Center; Hawai'i Primary Care Association; Hawai'i Health Information Exchange; Healthcare Association of Hawaii; Hawaii Association of Health Plans; Hawaii Medical Association; Liberty Dialysis-Hawaii; and seventeen individuals.

Upon review of the testimony, your Committee finds that Dr. Lewin's medical training, extensive and diverse knowledge in health care management through his over thirty years of experience in the health care sector in various capacities, and commitment to universal access to quality health care qualify him to be nominated for appointment as the Administrator of the State Health Planning and Development Agency (SHPDA).

Dr. Lewin has been serving as the Interim Administrator of SHPDA since April 2023, charged with the development of a state health system reform plan and implementation strategy to achieve universal access, improved quality of care, patient and population outcomes, equity, and sustainable and affordable health care costs. Dr. Lewin earned his bachelor's degree in biological science from the University of California, Irvine, and his medical degree from the University of Southern California. Thereafter, he joined the United States Public Health Service and spent seven years serving as the Commissioned Officer and Director of the Navajo Area Indian Health Service in Window Rock, Arizona. From there, Dr. Lewin entered private practice, providing care to the rural

communities of Maui, where he eventually became the Chief Physician at Kula Hospital and Director of Kula Clinic for the Hawaii Health Systems Corporation.

From 1987 to 1994, Dr. Lewin served as the Director of Health, during which he served as the State's Chief Physician, Chief Public Health Officer, and Chief Environmental Officer. As head of the Department of Health, Dr. Lewin managed approximately six thousand five hundred employees, a budget of over \$1,000,000,000, and approximately eighty statewide public health, primary care, mental health, substance abuse and environmental health programs, and served as the Chief Executive Officer of the State's largest hospital system with thirteen facilities and two thousand inpatient acute and long-term beds. Dr. Lewin also spearheaded many innovative public health programs, making great strides in providing greater access to health care for the residents of Hawaii. Dr. Lewin's professional experience also includes serving as the President and Chief Executive Officer of the Cardiovascular Research Foundation from 2013 to 2017, a non-profit foundation that is highly respected as the most prominent global leader in clinical trials and preclinical research, and a combined sixteen years of experience as the Chief Executive Officer of two of the nation's most prestigious medical societies - the American College of Cardiology from 2006 to 2012, and the California Medical Association from 1995 to 2006. Dr. Lewin also founded and served as the Principal for Lewin and Associates LLC, a health innovation and health management consulting firm focused on value-based care, population health, and health access until April 2023.

Testimony submitted in support of Dr. Lewin's appointment speak to his expertise in medicine, ability to bring stakeholders together, experience in health innovations, knowledge of health policy at the state and federal levels, and experience as an administrator and leader. Testimony submitted by the Department of Health attest that during his tenure as its Director, the State was recognized as the "Health State" for the high quality of healthcare, access to insurance, and some of the longest life spans and quality of life years in the country, and also praise his professional experience after leaving the State, including his contributions to federal health policy leadership, professional advocacy, medical research and quality improvement, health information technology, and market-based innovation.

Your Committee further finds that Dr. Lewin's knowledge of Hawaii's culture and experience in the local health care sector at various levels, including physician, clinic, hospital, government, and public health, will invigorate SHPDA's leadership to assure an affordable, accessible, and high quality public health and health care system for future generations. Your Committee therefore recommends that John (Jack) Lewin be appointed as Administrator of the State Health Planning and Development Agency based on his knowledge, experience, and commitment to universal access to high-quality, equitable, and affordable health care for all residents 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, 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 (Shimabukuro, Awa).

SCRep. 3374 Health and Human Services on Gov. Msg. Nos. 541 and 542

Recommending that the Senate advise and consent to the nominations of the following:

COMMISSION ON FATHERHOOD

G.M. No. 541 MARTY OLIPHANT, for a term to expire 06-30-2027; and

G.M. No. 542 BRIAN ALSTON, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Marty Oliphant and Brian Alston for service on the Commission on Fatherhood.

MARTY OLIPHANT

Your Committee received testimony in support of the nomination for the appointment of Marty Oliphant from one individual.

Upon review of the testimony, your Committee finds that Mr. Oliphant's professional experience and dedication to serving the public qualify him for appointment to the Commission on Fatherhood. Mr. Oliphant holds a master's degree and bachelor's degree in Social Work from the University of Hawaii at Manoa and has over thirty years of experience working in social services organizations with children and their families. Your Committee notes that Mr. Oliphant is currently the Director of Social Services and Director of Program Integration for Lili'uokalani Trust. Previously, Mr. Oliphant has held multiple leadership roles in the field of social work, including Director of Programs for HUGS (Help, Understanding & Group Support) from June 2014 to November 2016; Executive Director for National Association of Social Workers, Hawaii Chapter from April 2011 to June 2014; and Director of the Oahu Children's Justice Center of the Judiciary from June 2008 to February 2011. Your Committee further notes that Mr. Oliphant served on the Board of Psychology as a lay member from the community at large from July 2013 to June 2021, and has a thorough understanding of the role and responsibilities of board and commission members. Your Committee finds that Mr. Oliphant's extensive experience in social work, program development, and management will enhance the effectiveness of the Commission on Fatherhood. Your Committee therefore recommends that Marty Oliphant be appointed to the Commission on Fatherhood based on his knowledge, background, and dedication to public service.

BRIAN ALSTON

Your Committee received no testimony for the nomination for the appointment of Brian Alston.

Your Committee finds that Mr. Alston's background and desire to promote healthy family relationships in the State qualify him to be appointed to the Commission on Fatherhood. Mr. Alston holds a master's degree in Cognitive Science and Religion from Boston University and a master's degree in Theology and Ethics from Hartford Seminary. Your Committee notes that Mr. Alston is currently serving as a Resident Assistant at Mental Health Kokua. Previously, Mr. Alston has exemplified his experience in conflict resolution

and leadership development as Resident Services Manager for Lihue Court Townhomes from January 2012 to December 2016, Recovery Coach for Paradise Recovery, LLC from September 2007 to April 2009, and Staff Therapist for Addiction Treatment Center in Brighton, Massachusetts from June 2003 to July 2007. Your Committee further finds that Mr. Alston's extensive experience serving community members will enhance the effectiveness of the Commission on Fatherhood. Your Committee therefore recommends that Brian Alston be appointed to the Commission on Fatherhood based on his knowledge, background, and dedication 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, none. Excused, 1 (Keohokalole).

SCRep. 3375 Health and Human Services on Gov. Msg. Nos. 543, 544, and 545

Recommending that the Senate advise and consent to the nominations of the following:

DISABILITY & COMMUNICATION ACCESS BOARD

G.M. No. 543 SCOTT FLEMING, for a term to expire 06-30-2027;

G.M. No. 544 LISAANN TOM, for a term to expire 06-30-2027; and

G.M. No. 545 MICHAEL NOJIMA, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Scott Fleming, LisaAnn Tom, and Michael Nojima for service on the Disability and Communication Access Board.

SCOTT FLEMING

Your Committee received testimony in support of the nomination for the appointment of Scott Fleming from the Disability and Communication Access Board.

Upon review of the testimony, your Committee finds that Mr. Fleming's experience, background, and commitment to public service qualify him for appointment to the Disability and Communication Access Board as a member with individual knowledge in areas for which the Board has rulemaking authority. Your Committee notes that Mr. Fleming has been an architect for nearly thirty years. During the course of Mr. Fleming's career, he has gained extensive experience with and knowledge of the Americans with Disabilities Act (ADA) and has spent most of his career designing public facilities to comply with ADA accommodations and requirements. Your Committee further notes that Mr. Fleming is the owner and principal of Fleming & Associates, LLC, an architectural and planning firm on Hawaii Island. Your Committee notes that Mr. Fleming has served previous terms as a member of the Disability and Communication Access Board, including as a member of the Board's Standing Committee on Facility Access, and has a thorough understanding of the roles and responsibilities of Board members. Your Committee therefore recommends that Scott Fleming be appointed to the Disability and Communication Access Board based on his knowledge, experience, and commitment to public service.

LISAANN TOM

Your Committee received testimony in support of the nomination for the appointment of LisaAnn Tom from the Disability and Communication Access Board and two individuals.

Upon review of the testimony, your Committee finds that Ms. Tom's knowledge, background, and desire to serve her community qualify her for appointment to the Disability and Communication Access Board in the capacity of a consumer/person with a disability. Your Committee notes that Ms. Tom is a deaf advocate who actively promotes awareness for relay services to empower the deaf, deafblind, hard-of-hearing, and those with speech disabilities. During the course of Ms. Tom's career, and as a deaf person herself, she has gained broad experience and knowledge about the needs of those with hearing disabilities and has diligently worked to ensure they are able to lead improved lives while promoting awareness for those with disabilities in her community. Your Committee therefore recommends that LisaAnn Tom be appointed to the Disability and Communication Access Board based on her background, experience, and dedication to public service.

MICHAEL NOJIMA

Your Committee received testimony in support of the nomination for the appointment of Michael Nojima from the Disability and Communication Access Board

Upon review of the testimony, your Committee finds that Mr. Nojima's background, experience, and commitment to public service qualify him for appointment to the Disability and Communication Access Board as a member with knowledge in areas for which the Board has rulemaking authority. Your Committee notes that Mr. Nojima has been a registered licensed civil engineer in Hawaii for over forty three years. Mr. Nojima is the Principal in charge of Gray, Hong, Nojima & Associates, Inc. and has extensive experience as a civil engineer and project manager in all phases of development. During the course of Mr. Nojima's career, he has gained broad experience and knowledge about public and private sector infrastructure, design, and construction, specifically for persons with disabilities. Your Committee notes Mr. Nojima has previously served as a member of the Disability and Communication Access Board and wishes to again serve as an advocate for persons with disabilities, specifically in the area of facility access. Your Committee therefore recommends that Michael Nojima be appointed to the Disability and Communication Access Board based on his knowledge, experience, 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, none. Excused, 1 (Keohokalole).

SCRep. 3376 Health and Human Services on Gov. Msg. Nos. 556, 557, 558, and 638

Recommending that the Senate advise and consent to the nominations of the following:

STATE COUNCIL ON MENTAL HEALTH

- G.M. No. 556 SAMUEL "RAY" RICE, for a term to expire 06-30-2027;
G.M. No. 557 LEA DIAS, for a term to expire 06-30-2027;
G.M. No. 558 JON FUJII, for a term to expire 06-30-2027; and
G.M. No. 638 LILLIE CHRISTINE MONTAGUE-HICKS, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by Samuel "Ray" Rice, Lea Dias, Jon Fujii, and Lillie Christine Montague-Hicks for service on the State Council on Mental Health.

SAMUEL "RAY" RICE

Your Committee received testimony in support of the nomination for the reappointment of Samuel "Ray" Rice from the Department of Health and the Department of Human Services.

Upon review of the testimony, your Committee finds that Mr. Rice's over twenty years of experience in the field of social work, commitment to public service, and passion for advocating for children and families, disabled and elderly, and those with mental illness, qualify him for reappointment to the State Council on Mental Health. Your Committee notes that Mr. Rice has been serving on the State Council on Mental Health since July 2022, as a member representing a principal state agency with respect to social services, and if reappointed, will continue to serve in the same capacity. Mr. Rice earned a Bachelor's degree in Social Sciences from Hawaii Pacific University and a Master's degree in Education, Administration, and Supervision from the Tennessee Technological University. Mr. Rice is currently the Assistant Program Development Administrator for the Department of Human Services' Adult Protective and Community Services, Social Services Division, a position he has held since December 2015. Mr. Rice's professional experience also includes serving as a Supervisor for the Adult/Juvenile Community Service and Restitution Unit for the Court of the First Circuit of the Judiciary, Command Coordinator for the Marine Corps Community Services Hawaii's Sexual Assault Prevention and Response Unit, and Supervisor of the Department of Social and Health Services' Behavioral Support Section. Your Committee finds that Mr. Rice has a thorough understanding of the role and responsibilities of board members and his extensive experience in mental health awareness and training and will continue to enhance the effectiveness of the State Council on Mental Health. Your Committee therefore recommends that Samuel "Ray" Rice be reappointed to the State Council on Mental Health based on his knowledge, background, and dedication to public service.

LEA DIAS

Your Committee received testimony in support of the nomination for the reappointment of Lea Dias from the Department of Health, Department of Human Services, and one individual.

Upon review of the testimony, your Committee finds that Ms. Dias's over thirty years of experience in the field of vocational rehabilitation, commitment to public service, and passion for assisting individuals with disabilities, including those with significant mental health challenges, to overcome obstacles, recognize their strengths, and attain their career and life goals qualify her for reappointment to the State Council on Mental Health. Your Committee further notes that Ms. Dias has been serving on the State Council on Mental Health since July 2022, as a member representing a principal state agency with respect to vocational rehabilitation, and if reappointed, will continue to serve in the same capacity. Ms. Dias holds a Master's degree in Education with a specialization in rehabilitation counseling from the University of Hawaii at Manoa, and has spent her entire professional career working in the Division of Vocational Rehabilitation of the Department of Human Services, starting as a Vocational Rehabilitation Specialist and moving up through positions such as Counseling Section Supervisor, Adjustment Section Supervisor, and Branch Administrator, to her current position as Vocational Rehabilitation Administrator. Your Committee notes that Ms. Dias has also served as the President for the National Council of State Agencies for the Blind and is a National Board Member for the National Blindness Professional Certification Board. Your Committee finds that Ms. Dias has a thorough understanding of the role and responsibilities of board members and her extensive experience in vocational rehabilitation and her strong desire to find and retain competitive employment for the people of Hawaii with mental health issues will continue to be great assets to the State Council on Mental Health. Your Committee therefore recommends that Lea Dias be reappointed to the State Council on Mental Health based on her knowledge, background, and dedication to public service.

JON FUJII

Your Committee received testimony in support of the nomination for the reappointment of Jon Fujii from the Department of Health, Department of Human Services, 'Ohana Health Plan, Kaiser Permanente Hawaii, Aloha Care, and Hawaii Association of Health Plans.

Upon review of the testimony, your Committee finds that Mr. Fujii's over thirty years of experience in the State's health care industry, commitment to public service, and strong desire to improve the lives of individuals experiencing mental health challenges and their families through the fortification and strengthening of the continuum of care qualify him for reappointment to the State Council on Mental Health. Your Committee notes that Mr. Fujii has been serving on the State Council on Mental Health since July 2020, as a member representing a principal state agency with respect to Medicaid and the Hawaii Advisory Commission on Drug Abuse and Controlled Substances, and if reappointed, will continue to serve in the same capacity. Mr. Fujii earned a Bachelor of Business Administration degree in Finance and Master in Business Association degree in Finance and Real Estate from the University of Hawaii at Manoa. Your Committee further notes that Mr. Fujii has been working in the Med-QUEST Division of the Department of Human Services for eighteen years, as an Administrator of the Research Officer/Data Analysis and Provider Network Section from 2006 to

2015 and as the Health Care Services Branch Administrator since 2015, and therefore, has extensive knowledge of the various challenges faced by individuals suffering from mental illnesses in the State's Medicaid population. Your Committee also notes that Mr. Fujii's previous professional experience includes serving as a Senior Contract Reimbursement Manager at Hawaii Pacific Health and Medical Economics Manager at Kapiolani Health Hawaii. Your Committee finds that Mr. Fujii has a thorough understanding of the role and responsibilities of board members and his extensive experience and knowledge in health care administration, Med-QUEST, and finance, will continue to enhance the effectiveness of the State Council on Mental Health. Your Committee therefore recommends that Jon Fujii be reappointed to the State Council on Mental Health based on his knowledge, background, and dedication to public service.

LILLIE CHRISTINE MONTAGUE-HICKS

Your Committee received testimony in support of the nomination for the appointment of Lillie Christine Montague-Hicks from the Department of Health.

Upon review of the testimony, your Committee finds that Ms. Montague-Hicks' over ten years of senior leadership and management experience with nonprofit organizations focusing on homelessness, mental health, and substance abuse prevention, and dedication to serving the public qualify her to be appointed to the State Council on Mental Health as a member representing a principal state agency with respect to education. Ms. Montague-Hicks earned a Master of Education in Counseling Psychology from Howard University and Bachelor of Arts in Psychology from Indiana University, and began her professional career as a licensed professional counselor providing individual, group, and family counseling to youth and their families, working in various settings, including residential, outpatient, school, and community. Your Committee notes that Ms. Montague-Hicks' experience in mental health and substance use prevention, including serving as a Program Director for behavioral health treatment programs and school and community-based prevention programs at the Southwest Behavioral Health Services, Inc. in Arizona, Director of Strategic Initiatives at Raleigh Rescue Mission, Inc. in North Carolina, and Executive Director at Berean Community Center, Inc. in Georgia, has equipped her with a solid foundation pertaining to the issues and concerns of individuals affected by mental illness. Since December 2023, Ms. Montague-Hicks has been serving as the State Mental Health Coordinator for the Department of Education, covering Project HI AWARE2 funded by the United States Health and Human Services – Substance Abuse and Mental Health Services Administration, which support the Department's multi-tiered system of support to implement mental health-related awareness, prevention, intervention, and resilience activities with the goal of ensuring that students have access and are connected to appropriate and effective behavioral health supports. Your Committee therefore recommends that Lillie Christine Montague-Hicks be appointed to the State Council on Mental Health based on her knowledge, background, and dedication 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, 3. Noes, none. Excused, 2 (Keohokalole, Awa).

SCRep. 3377 Health and Human Services on Gov. Msg. Nos. 560, 561, 562, and 563

Recommending that the Senate advise and consent to the nominations of the following:

STATE REHABILITATION COUNCIL

- G.M. No. 560 SANDRA JAKOB, for a term to expire 06-30-2026;
- G.M. No. 561 SEAN KNOX, for a term to expire 06-30-2025;
- G.M. No. 562 RAMON RUIZ, for a term to expire 06-30-2026; and
- G.M. No. 563 VICTORIA KENNEDY, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Sandra Jakob, Sean Knox, Ramon Ruiz, and Victoria Kennedy for service on the State Rehabilitation Council.

SANDRA JAKOB

Your Committee received testimony in support of the nomination for the appointment of Sandra Jakob from the Department of Human Services.

Upon review of the testimony, your Committee finds that Ms. Jakob's over twenty years of experience working with persons with disabilities as a vocational rehabilitation specialist in the private sector and desire to serve her community qualify her for consideration for appointment to the State Rehabilitation Council as a member who is a qualified vocational rehabilitation counselor with knowledge of and experience with vocational rehabilitation programs. Your Committee notes that Ms. Jakob earned her Bachelor of Arts degree in Psychology and Master of Education degree in Counseling and Guidance with a specialization in Rehabilitation from the University of Hawaii at Manoa, and has been a certified rehabilitation counselor and licensed mental health counselor for over twenty years. Your Committee further notes that Ms. Jakob is a resident of the County of Hawaii and has been serving as a Vocational Rehabilitation Specialist at PACBLU since 2003, assisting injured individuals in the State's workers' compensation system to adjust to their disability and return to work. Your Committee finds that Ms. Jakob's expertise in providing assistance to individuals with disabilities in identifying feasible vocational alternatives reflecting the change in their capabilities and achieving their goals will be a great asset to the State Rehabilitation Council. Your Committee therefore recommends that Sandra Jakob be appointed to the State Rehabilitation Council based on her background, knowledge, and desire to contribute to the community.

SEAN KNOX

Your Committee received testimony in support of the nomination for the appointment of Sean Knox from the Department of Human Services and one individual.

Upon review of the testimony, your Committee finds that Mr. Knox's twenty-five years of experience in providing job placement and employment services in the State and desire to serve his community qualify him for consideration for appointment to the State Rehabilitation Council as a member representing the State Workforce Development Council. Mr. Knox is currently the President, Chief Executive Officer, and Partner of Hawaii Employment Services Inc., doing business as HiEmployment, a position he has held since 2010. With offices located throughout the State, Mr. Knox oversees the recruitment, hiring, and placement of thousands of individuals every year, in various sectors across the State. Prior to his current position, Mr. Knox served as the President and owner of POI Employment LLC, a professional employer organization that he established in 2005 to assist employers in Hawaii to secure temporary administrative and accounting professionals. Your Committee notes that Mr. Knox is an active member in community organizations, including serving as a member of the Kapiolani Community College Accounting Program Advisory Committee since 2003, and Hawaii Literacy, Inc.'s Board of Directors since 2007. Mr. Knox has also served on the State Workforce Development Council since 2016, in various positions including the Chair of its Performance Measurement Committee and Vice Chair of its Sector Strategies and Career Pathways Committee. Your Committee finds that Mr. Knox's experience in serving clients on both sides of employment - employers who seek temporary and permanent employees and individuals who seek employment - throughout the State in various industries will bring a unique and valuable perspective to the State Rehabilitation Council. Your Committee therefore recommends that Sean Knox be appointed to the State Rehabilitation Council based on his experience, knowledge, and desire to contribute to the community.

RAMON RUIZ

Your Committee received testimony in support of the nomination for the appointment of Ramon Ruiz from the Department of Human Services.

Upon review of the testimony, your Committee finds that Mr. Ruiz's professional experience, background, and commitment to public service qualify him for consideration for appointment to the State Rehabilitation Council as a representative of business, industry, and labor. Mr. Ruiz is a disabled combat veteran who retired from the United States Air Force after twenty-four years of service. Since 2014, Mr. Ruiz has been serving as an Employment Service Specialist for the Workforce Development Division of the Department of Labor and Industrial Relations. In this position, Mr. Ruiz provides services in coordination with the U.S. Department of Labor's Employment and Training Administration and Veterans Employment Services at the American Job Center Hawaii on Oahu, including developing business relationships with various employers and recruiters with focus on the employment of disabled and other eligible veterans with a high emphasis on those who have significant barriers to employment, including those who are economically or educationally disadvantaged, homeless, or previously incarcerated. Mr. Ruiz is also the owner of 808-Celular, LLC, a wireless plan wholesale and retail company he founded in 2014. Your Committee finds that Mr. Ruiz's expertise and personal dedication to assisting veterans with disabilities will be great assets for the State Rehabilitation Council. Your Committee therefore recommends that Ramon Ruiz be appointed to the State Rehabilitation Council based on his experience, knowledge, and desire to contribute to the community.

VICTORIA KENNEDY

Your Committee received testimony in support of the nomination for the reappointment of Victoria Kennedy from the Department of Human Services.

Upon review of the testimony, your Committee finds that Ms. Kennedy's over thirty years of advocating for individuals who are blind and visually impaired, desire to contribute to the community, and interest in serving the public qualify her for reappointment to the State Rehabilitation Council. Ms. Kennedy, having been legally blind since 1978, and totally blind since 2000, has been a strong advocate for those with disabilities with particular focus on blindness. Ms. Kennedy currently provides her services to the Guide Dogs of Hawaii, a nonprofit corporation founded in 1955, for the purpose of improving the quality of life for Hawaii's legally blind residents through the utilization of guide dogs, adaptive aids, and advocacy. Ms. Kennedy's responsibilities include giving presentations relating to guide dogs to service organizations and schools, and providing training to blind individuals on the use of assistive technologies such as iPhones and the Victor Reader Stream, a handheld digital media player that provides an opportunity for blind and visually impaired persons to listen to books, newspapers, music, and internet radio stations. Your Committee finds that Ms. Kennedy's first-hand experiences with blindness, educating and advocating for individuals who are blind, and her work for the legitimacy of service animals equip her with the knowledge that will continue to be great assets to the State Rehabilitation Council. Your Committee notes that Ms. Kennedy has been serving on the State Rehabilitation Council since 2021. Your Committee therefore recommends that Victoria Kennedy be reappointed to the State Rehabilitation Council based on her experience, knowledge, and desire to contribute to 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 (Keohokalole).

SCRep. 3378 Health and Human Services on Gov. Msg. Nos. 564 and 565

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF CERTIFICATION OF OPERATING PERSONNEL IN WASTEWATER TREATMENT PLANTS

G.M. No. 564 MARIA YAMASHITA, for a term to expire 06-30-2027; and

G.M. No. 565 JON NAKASHIMA, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Maria Yamashita and Jon Nakashima for service on the Board of Certification of Operating Personnel in Wastewater Treatment Plants.

MARIA YAMASHITA

Your Committee received no testimony on the nomination for the reappointment of Maria Yamashita.

Upon review of the testimony, your Committee finds that Ms. Yamashita's background and experience qualify her for reappointment to the Board of Certification of Operating Personnel in Wastewater Treatment Plants as a member from the State agency responsible for the State's water quality program. Your Committee notes that Ms. Yamashita currently serves as Administrator of the Board of Certification of Operating Personnel in Wastewater Treatment Plants for the Wastewater Branch of the Department of Health, since 2018. Previously, Ms. Yamashita worked for over a decade in the customer service industry, obtaining valuable communication, time management, and interpersonal skills. Your Committee finds that Ms. Yamashita has a thorough understanding of the role and responsibilities of board members and her experience will continue to enhance the effectiveness of the Board. Your Committee therefore recommends that Maria Yamashita be reappointed to the Board of Certification of Operating Personnel in Wastewater Treatment Plants based on her knowledge, background, and dedication to public service.

JON NAKASHIMA

Your Committee received no testimony on the nomination for the reappointment of Jon Nakashima.

Upon review of the testimony, your Committee finds that Mr. Nakashima's background and experience qualify him for reappointment to the Board of Certification of Operating Personnel in Wastewater Treatment Plants as a member who is an operator or certified supervisor of a wastewater treatment plant employed by the county of Kauai. Your Committee notes that Mr. Nakashima currently serves as the Superintendent of Operations for the County of Kauai Public Works Department's Wastewater Division, since 2014. Previously, Mr. Nakashima worked sixteen years as a wastewater treatment plant operator for the Elelee and Wailua wastewater treatment plants. Your Committee finds that Mr. Nakashima has a thorough understanding of the role and responsibilities of board members and his extensive experience as a wastewater treatment plant operator will continue to enhance the effectiveness of the Board. Your Committee therefore recommends that Jon Nakashima be reappointed to the Board of Certification of Operating Personnel in Wastewater Treatment Plants based on his knowledge, background, and dedication 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, none. Excused, 1 (Keohokalole).

SCRep. 3379 Water and Land on Gov. Msg. Nos. 582 and 583

Recommending that the Senate advise and consent to the nominations of the following:

GAME MANAGEMENT ADVISORY COMMITTEE

G.M. No. 582 GONZALO GARCIA, for a term to expire 06-30-2027; and

G.M. No. 583 MICHAEL JOHNSON, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Gonzalo Garcia and Michael Johnson for service on the Game Management Advisory Committee.

GONZALO GARCIA

Your Committee received testimony in opposition to the nomination for the appointment of Gonzalo Garcia from one individual.

Upon review of the testimony, your Committee finds that Mr. Garcia's experience, background, and commitment to public service qualify him for appointment to the Game Management Advisory Committee. Your Committee notes that Mr. Garcia has thirty-seven years of experience as a Risk Management and Environmental Management Specialist in the petroleum industry and possesses extensive knowledge and experience in ecological restoration and stakeholder engagement. Your Committee further finds that Mr. Garcia thoroughly understands the role and responsibilities of committee members and his extensive experience in the fields of risk management and environmental management will enhance the effectiveness of the Game Management Advisory Committee. Your Committee therefore recommends that Gonzalo Garcia be appointed to the Game Management Advisory Committee based on his knowledge, background, and dedication to public service.

MICHAEL JOHNSON

Your Committee received testimony in support of the nomination for the appointment of Michael Johnson from the Worthy Garden Club and four individuals.

Your Committee received testimony in opposition to the nomination for the appointment of Michael Johnson from one individual.

Upon review of the testimony, your Committee finds that Mr. Johnson's experience, background, and commitment to public service qualify him for appointment to the Game Management Advisory Committee. Your Committee notes that Mr. Johnson operates and owns a small consulting business and is also an avid outdoor enthusiast and hunter who volunteers to help control axis deer and feral goat populations. Your Committee further finds that Mr. Johnson thoroughly understands the role and responsibilities of committee members and his extensive experience as a hunter will benefit the Game Management Advisory Committee. Your Committee therefore recommends that Michael Johnson be appointed to the Game Management Advisory Committee based on his knowledge, background, and dedication 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. 3380 Water and Land on Gov. Msg. Nos. 586 and 610

Recommending that the Senate advise and consent to the nominations of the following:

LAND USE COMMISSION

- G.M. No. 586 NANCY CARR SMITH, for a term to expire 06-30-2025; and
G.M. No. 610 BRUCE U`U, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by Nancy Carr Smith and Bruce U`u for service on the Land Use Commission.

NANCY CARR SMITH

Your Committee received testimony in support of the nomination for the appointment of Nancy Carr Smith from the Land Use Commission, Office of the Mayor of the County of Hawai`i, County of Hawai`i Planning Department, two members of the Hawai`i County Council, Hawaii Island Community Development Corporation, Mauna Kea Resort, and twenty-two individuals.

Upon review of the testimony, your Committee finds that Ms. Carr Smith's experience, background, and knowledge qualify her for appointment to the Land Use Commission. Your Committee notes that Ms. Carr Smith has more than thirty years of experience as a licensed real estate agent and broker and has operated her own real estate brokerage since 2011. Ms. Carr Smith has also served on various County of Hawaii volunteer boards and commissions, including the South Kohala Community Development Plan Board and Leeward Planning Commission. Over the years, Ms. Carr Smith actively engaged in the Hawaii community, currently serving as Secretary of the Waimea Community Association. Your Committee finds that Ms. Carr Smith thoroughly understands the role and responsibilities of commission members and her extensive experience as a licensed real estate agent and broker will be of tremendous service to the Land Use Commission. Your Committee therefore recommends that Nancy Carr Smith be appointed to the Land Use Commission based on her knowledge, background, and dedication to public service.

BRUCE U`U

Your Committee received testimony in support of the nomination for the appointment of Bruce U`u from the Land Use Commission and three individuals.

Your Committee received testimony in opposition to the nomination for the appointment of Bruce U`u from one individual.

Upon your review of the testimony, your Committee finds that Mr. U`u's experience, background, and commitment to public service qualify him for appointment to the Land Use Commission. Your Committee notes that Mr. U`u graduated from the Hawaii Carpenters Apprenticeship Program in 1994 and served as an Apprentice Instructor at the University of Hawaii Maui College, fostering the next generation of skilled carpenters in the State. Mr. U`u has also served as a Field Representative for the Hawaii Regional Council of Carpenters, representing the interests of carpenters at a regional level. Your Committee finds that Mr. U`u thoroughly understands the responsibilities of commission members and his extensive experience as a carpenter and history of working toward the development of housing and its component infrastructure will enhance the effectiveness of the Land Use Commission. Your Committee therefore recommends that Bruce U`u be appointed to the Land Use Commission based on his knowledge, background, and dedication to public service.

As affirmed by the records of votes of the members of your Committee on 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. 3381 Water and Land on Gov. Msg. No. 627

Recommending that the Senate advise and consent to the nomination of the following:

MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY

- G.M. No. 627 BENJAMIN KUDO, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Benjamin Kudo for service on the Mauna Kea Stewardship and Oversight Authority.

Your Committee received testimony in support of the nomination for the appointment of Benjamin Kudo from one member of the Hawai`i County Council, SanHi Government Strategies, and three individuals.

Upon review of the testimony, your Committee finds that Mr. Kudo's background and dedication to serving the public qualify him for appointment to the Mauna Kea Stewardship and Oversight Authority. Mr. Kudo presently serves as counsel to the law firm of Ashford & Wriston, which handles major real estate transactions, commercial litigation, and tax law throughout the State. Your Committee notes that prior to his legal career, Mr. Kudo held positions within Castle & Cooke, Inc. and Amfac, Inc., two of Hawaii's major agriculture and land development corporations. Mr. Kudo has also been an invited speaker and seminar lecturer to various

professional organizations on real property law, land use law, Native Hawaiian rights, and water rights. Your Committee additionally notes that Mr. Kudo has also advised state and county legislative and administrative bodies on various land use projects, including the drafting of state and county land use and administrative laws and regulations. Your Committee further finds that Mr. Kudo's knowledge and experience will be assets to the Mauna Kea Stewardship and Oversight Authority. Your Committee therefore recommends that Benjamin Kudo be appointed to the Mauna Kea Stewardship and Oversight 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 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 (McKelvey).

SCRep. 3382 Water and Land on Gov. Msg. Nos. 584, 585, and 600

Recommending that the Senate advise and consent to the nominations of the following:

KAHO'OLAWE ISLAND RESERVE COMMISSION

G.M. No. 584 SAUMALU MATAAFA, for a term to expire 06-30-2027;

G.M. No. 585 FAITH KAHELE SAITO, for a term to expire 06-30-2027. (Nominee's name amended to FAITH KAHALE SAITO by GM688); and

G.M. No. 600 JUSTIN KEONI SOUZA, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Saumalu Mataafa, Faith Kahale Saito, and Justin Keoni Souza for service on the Kaho'olawe Island Reserve Commission.

SAUMALU MATAAFA

Your Committee received testimony in support of the nomination for the reappointment of Saumalu Mataafa from the Department of Land and Natural Resources, Kaho'olawe Island Reserve Commission, and five individuals.

Upon review of the testimony, your Committee finds that Mr. Mataafa's experience, background, and dedication to serving the public qualifies him for reappointment to the Kaho'olawe Island Reserve Commission. Currently, Mr. Mataafa serves on the Kaho'olawe Island Reserve Commission managing the restorative operation for Kaho'olawe's island reserve. In addition to his four years of service on the Kaho'olawe Island Reserve Commission, Mr. Mataafa possesses extensive experience as a legislative researcher and analyst for the county of Maui, addressing the affordable housing shortage on Maui, the decriminalization of drug use, and Maui transportation policies. Mr. Mataafa's commitment to the community will continue to be an asset to the Kaho'olawe Island Reserve Commission. Your Committee therefore recommends that Saumalu Mataafa be reappointed to the Kaho'olawe Island Reserve Commission based on his experience, knowledge, and dedication to public service.

FAITH KAHALE SAITO

Your Committee received testimony in support of the nomination for the appointment of Faith Kahale Saito from the Department of Land and Natural Resources, Kaho'olawe Island Reserve Commission, Protect Kaho'olawe 'Ohana, and ten individuals.

Upon review of the testimony, your Committee finds that Ms. Saito's background and dedication to serving the public qualifies her for appointment to the Kaho'olawe Island Reserve Commission. Currently, Ms. Saito is a Native Hawaiian counselor at the Honolulu Community College. Your Committee notes that Ms. Saito previously served on the Kaho'olawe Island Reserve Commission as a Cultural Resources Project Coordinator from 2009 to 2012, managing the cultural resources on the island. Your Committee further finds that Ms. Saito has been with the Protect Kaho'olawe 'Ohana since her first trip to the island in 2002. Your Committee finds that Ms. Saito thoroughly understands the role and responsibilities of commissioners and her experience with Protect Kaho'olawe Ohana will enhance the effectiveness of the Kaho'olawe Island Reserve Commission. Your Committee therefore recommends that Faith Kahale Saito be appointed to the Kaho'olawe Island Reserve Commission based on her experience, knowledge, and commitment to public service.

JUSTIN KEONI SOUZA

Your Committee received testimony in support of the nomination for the appointment of Justin Keoni Souza from the Department of Land and Natural Resources; Kaho'olawe Island Reserve Commission; Ho'omana Pono, LLC; and three individuals.

Upon review of the testimony, your Committee finds that Mr. Souza's background and dedication to serving the public qualifies him for appointment to the Kaho'olawe Island Reserve Commission. Mr. Souza has served as a Trustee-At-Large on the Board of Trustees of the Office of Hawaiian Affairs since 2022. Mr. Souza is dedicated to advancing Native Hawaiian rights and possesses a multi-faceted background in music, real estate, and community service and has contributed significantly to the preservation of Hawaiian music and culture. Your Committee finds that Mr. Souza thoroughly understands the role and responsibilities of commissioners and his extensive and diverse experiences will enhance the effectiveness of the Kaho'olawe Island Reserve Commission. Your Committee therefore recommends that Justin Keoni Souza be appointed to the Kaho'olawe Island Reserve Commission based on his experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Water and Land that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3383 Water and Land on Gov. Msg. No. 603

Recommending that the Senate advise and consent to the nomination of the following:

DIRECTOR, OFFICE OF PLANNING AND SUSTAINABLE DEVELOPMENT

G.M. No. 603 MARY ALICE EVANS, for a term to expire 12-31-2026

Your Committee reviewed the personal history, resume, and statement submitted by Mary Alice Evans 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 Mary Alice Evans from the Office of the Governor; Business Development and Support Division of the Department of Businesses, Economic Development, and Tourism; Department of Health; Department of Budget and Finance; Department of Labor and Industrial Relations; Department of Corrections and Rehabilitation; Department of Agriculture; Department of Transportation; Department of Accounting and General Services; Hawaii State Energy Office; Hawaii Green Infrastructure Authority; Hawaii Broadband and Digital Equity Office; Hawai'i Climate Change Mitigation and Adaptation Commission; Agribusiness Development Corporation; Hawaii Housing Finance and Development Corporation; Land Use Commission; Natural Energy Laboratory of Hawaii Authority; Hawaii Technology Development Corporation; County of Hawaii Department of Research and Development; Hawai'i Farm Bureau; and fifteen individuals.

Your Committee received testimony in opposition to the nomination for the appointment of Mary Alice Evans from one individual.

Upon review of the testimony and the nominee's personal statement, your Committee finds that Ms. Evans' background, experience, and commitment to public service qualify her for appointment as Director of the Office of Planning and Sustainable Development.

Your Committee finds that Ms. Evans has extensive experience in various state leadership positions throughout her longstanding public service career. Your Committee notes that Ms. Evans has been serving as the interim Director of the Office of Planning and Sustainable Development since May 2023 and has previously served as its Director from May 2019 to December 2022. In addition to her service in the Office of Planning and Sustainable Development, Ms. Evans has also served as the Interim Director and Deputy Director of Business, Economic Development, and Tourism; Interim Comptroller and Deputy Comptroller; and Special Assistant for Research in the Office of the Governor.

Ms. Evans is active in her community and is affiliated with various professional organizations throughout the State. In addition to other positions, she has served as the President of the Hawaii Chapter of the American Planning Association. She is also a member of the Hawaii Economic Association, Hawaii's Thousand Friends, and the Urban Land Institute. Ms. Evans holds a Bachelor of Arts in Sociology from the University of California Santa Barbara and a Master of Urban and Regional Planning from the University of Hawaii at Manoa.

Testifiers frequently highlight Ms. Evans' institutional knowledge which gives her a solid understanding of the issues before the Office of Planning and Sustainable Development and contributes to her ability to navigate through the complexities of the public policy process and formulate public policy. Ms. Evans' experience, effective leadership, and utmost dedication to the job and the community will continue to be assets to the Office of Planning and Sustainable Development. Your Committee therefore recommends that Mary Alice Evans be appointed as Director of the Office of Planning and Sustainable Development based on her experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 3384 Housing on S.C.R. No. 43

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to amend the priority for which low-income housing tax credits are allocated and moneys in the Rental Housing Revolving Fund are used and to adopt certain administrative rules that incentivize the development of affordable housing in the state.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the federal Low-Income Housing Tax Credit (LIHTC) Program is intended to encourage the construction or rehabilitation of low-income rental units. The State also created its own LIHTC, which is equal to fifty percent of the federal LIHTC allocated to a project, and the Hawaii Housing Finance and Development Corporation (HHFDC) is the designated agency responsible for the administration of both the federal and state LIHTC programs. Your Committee also finds that HHFDC's Qualified Allocation Plan (QAP) sets forth the criteria to evaluate and allocate LIHTC to projects and the procedures to monitor compliance with the provisions of the LIHTC Program. Your Committee finds, however, that existing LIHTC incentives do not reflect policies that will ensure the State can successfully address its ongoing housing shortage or best utilize tax payer funds. Therefore, this measure urges HHFDC to incentivize and prioritize certain projects to maximize benefits of the LIHTC program.

Your Committee has amended this measure by:

- (1) Deleting duplicative language that would have urged HHFDC to prioritize providing loans or grants for rental housing projects that have been awarded LIHTC and that meet certain criteria;

- (2) Clarifying references to HHFDC's Qualified Allocation Plan for consistency; and
- (3) Requesting that certified copies of this measure be sent to all members of the Board of Directors of HHFDC rather than just its Chairperson.

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. 43, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 43, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Aquino).

SCRep. 3385 Housing on S.R. No. 31

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to amend the priority for which low-income housing tax credits are allocated and moneys in the Rental Housing Revolving Fund are used and to adopt certain administrative rules that incentivize the development of affordable housing in the state.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the federal Low-Income Housing Tax Credit (LIHTC) Program is intended to encourage the construction or rehabilitation of low-income rental units. The State also created its own LIHTC, which is equal to fifty percent of the federal LIHTC allocated to a project, and the Hawaii Housing Finance and Development Corporation (HHFDC) is the designated agency responsible for the administration of both the federal and state LIHTC programs. Your Committee also finds that HHFDC's Qualified Allocation Plan (QAP) sets forth the criteria to evaluate and allocate LIHTC to projects and the procedures to monitor compliance with the provisions of the LIHTC Program. Your Committee finds, however, that existing LIHTC incentives do not reflect policies that will ensure the State can successfully address its ongoing housing shortage or best utilize tax payer funds. Therefore, this measure urges HHFDC to incentivize and prioritize certain projects to maximize benefits of the LIHTC program.

Your Committee has amended this measure by:

- (1) Deleting duplicative language that would have urged HHFDC to prioritize providing loans or grants for rental housing projects that have been awarded LIHTC and that meet certain criteria;
- (2) Clarifying references to HHFDC's Qualified Allocation Plan for consistency; and
- (3) Requesting that certified copies of this measure be sent to all members of the Board of Directors of HHFDC rather than just its Chairperson.

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. 31, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 31, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Aquino).

SCRep. 3386 Housing on S.C.R. No. 45

The purpose and intent of this measure is to urge the Director of Finance to adopt administrative rules to define "beneficial effects to the State" in section 38-2, Hawaii Revised Statutes, to include the financing of housing.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the State must expand financing options to increase housing in Hawaii. Your Committee also finds that the Director of Finance is granted the discretion to invest the public treasury with certain depositories, subject to the approval of the Governor and certain statutory requirements found in section 38-2, Hawaii Revised Statutes, including the requirement to "consider the beneficial effects to the State of using depositories within the State". Therefore, this measure supports incentivizing state treasury depositories that have issued loans with favorable terms to housing developers to help expand the State's housing supply.

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 concurs with the intent and purpose of S.C.R. No. 45, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 45, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3387 Housing on S.R. No. 33

The purpose and intent of this measure is to urge the Director of Finance to adopt administrative rules to define "beneficial effects to the State" in section 38-2, Hawaii Revised Statutes, to include the financing of housing.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the State must expand financing options to increase housing in Hawaii. Your Committee also finds that the Director of Finance is granted the discretion to invest the public treasury with certain depositories, subject to the approval of the

Governor and certain statutory requirements found in section 38-2, Hawaii Revised Statutes, including the requirement to “consider the beneficial effects to the State of using depositories within the State”. Therefore, this measure supports incentivizing state treasury depositories that have issued loans with favorable terms to housing developers to help expand the State’s housing supply.

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 concurs with the intent and purpose of S.R. No. 33, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 33, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3388 Housing on S.C.R. No. 58

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to adopt administrative rules to create a process under section 201H-38, Hawaii Revised Statutes, for housing projects exclusively for sale or rent to qualified residents as defined in section 201H-32, Hawaii Revised Statutes, who are deemed to be moderate-income households.

Your Committee received testimony in support of this measure from one individual.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the Hawaii Housing Finance and Development Corporation is tasked with overseeing affordable housing projects in the State through the development and financing of low- and moderate-income housing projects and homeownership programs. Your Committee further finds that pursuant to existing administrative rules, the Hawaii Housing Finance and Development Corporation requires certain housing projects to offer half of the available units to buyers whose income is at or below one hundred forty percent of the area median income. Your Committee also finds that residential units at all price points are needed to solve Hawaii’s chronic housing shortage. Therefore, this measure seeks to create an additional pathway for a project to qualify for expedited review to help quickly increase Hawaii’s housing supply.

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 concurs with the intent and purpose of S.C.R. No. 58, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 58, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3389 Housing on S.R. No. 47

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to adopt administrative rules to create a process under section 201H-38, Hawaii Revised Statutes, for housing projects exclusively for sale or rent to qualified residents as defined in section 201H-32, Hawaii Revised Statutes, who are deemed to be moderate-income households.

Your Committee received testimony in support of this measure from one individual.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the Hawaii Housing Finance and Development Corporation is tasked with overseeing affordable housing projects in the State through the development and financing of low- and moderate-income housing projects and homeownership programs. Your Committee further finds that pursuant to existing administrative rules, the Hawaii Housing Finance and Development Corporation requires certain housing projects to offer half of the available units to buyers whose income is at or below one hundred forty percent of the area median income. Your Committee also finds that residential units at all price points are needed to solve Hawaii’s chronic housing shortage. Therefore, this measure seeks to create an additional pathway for a project to qualify for expedited review to help quickly increase Hawaii’s housing supply.

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 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, 5. Noes, none. Excused, none.

SCRep. 3390 Housing on S.C.R. No. 60

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to develop a plan to build one hundred thousand homes over the next ten years.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that included within the Hawaii Housing Finance and Development Corporation’s mission is not only the provision of financing for housing, but also the development of housing. Your Committee further finds that the Hawaii Housing

Finance and Development Corporation should be at the forefront of proactively working to alleviate the State's housing shortage. Therefore, this measure urges the Hawaii Housing Finance and Development Corporation to develop a plan to increase the State's housing supply over the next ten years.

Your Committee notes the concerns raised in testimony that certain systemic barriers, including but not limited to insufficient infrastructure, restrictive land use and zoning policies, lengthy and complex regulatory processes, community opposition, and high construction and financing costs, can considerably impede the development of housing in Hawaii and should be addressed in advance of the preparation of any reasonably implementable plan to accelerate housing production in the State. Your Committee further notes that the Governor recently applied for \$9,900,000 in Pathways to Removing Obstacles to Housing (PRO Housing) grant funds from the United States Department of Housing and Urban Development to address several of these factors. Accordingly, your Committee believes that the PRO Housing grant application can assist in funding the plan proposed by this measure.

Your Committee has amended this measure by inserting language that requests the Hawaii Housing Finance and Development Corporation's plan to include methods to address certain factors that can impede the development of 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 S.C.R. No. 60, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 60, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3391 Housing on S.R. No. 49

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to develop a plan to build one hundred thousand homes over the next ten years.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that included within the Hawaii Housing Finance and Development Corporation's mission is not only the provision of financing for housing, but also the development of housing. Your Committee further finds that the Hawaii Housing Finance and Development Corporation should be at the forefront of proactively working to alleviate the State's housing shortage. Therefore, this measure urges the Hawaii Housing Finance and Development Corporation to develop a plan to increase the State's housing supply over the next ten years.

Your Committee notes the concerns raised in testimony that certain systemic barriers, including but not limited to insufficient infrastructure, restrictive land use and zoning policies, lengthy and complex regulatory processes, community opposition, and high construction and financing costs, can considerably impede the development of housing in Hawaii and should be addressed in advance of the preparation of any reasonably implementable plan to accelerate housing production in the State. Your Committee further notes that the Governor recently applied for \$9,900,000 in Pathways to Removing Obstacles to Housing (PRO Housing) grant funds from the United States Department of Housing and Urban Development to address several of these factors. Accordingly, your Committee believes that the PRO Housing grant application can assist in funding the plan proposed by this measure.

Your Committee has amended this measure by inserting language that requests the Hawaii Housing Finance and Development Corporation's plan to include methods to address certain factors that can impede the development of 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 S.R. No. 49, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 49, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3392 Housing on S.C.R. No. 61

The purpose and intent of this measure is to request the Hawaii Housing Finance and Development Corporation to adopt administrative rules to enable credit enhancement for construction loans under the Rental Housing Revolving Fund.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the State has extremely high housing development costs, which have worsened in light of currently high interest rates. These costs are ultimately passed on to housing residents. Your Committee also finds that allowing the Rental Housing Revolving Fund to provide credit enhancement for construction loans will reduce the related financing costs and therefore development costs with very little risk to the fund.

Your Committee notes that S.B. No. 2469, introduced in the Regular Session of 2024, was previously passed by your Committee and would have statutorily authorized the Hawaii Housing Finance and Development Corporation to use Rental Housing Revolving Fund monies for credit enhancement and required the Corporation to adopt administrative rules accordingly. Your Committee is hopeful that future legislatures will pass a measure that provides this statutory authorization to support the reduction of housing costs for Hawaii residents.

Your Committee has amended this measure by:

- (1) Requesting that any funds administered by the Hawaii Housing Finance and Development Corporation be used for credit enhancement, rather than just funds under the Rental Housing Revolving Fund;
- (2) Requiring that certified copies of this measure be sent to all members of the Board of Directors of the Hawaii Housing Finance and Development Corporation;

- (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 Housing that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 61, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 61, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3393 Housing on S.R. No. 50

The purpose and intent of this measure is to request the Hawaii Housing Finance and Development Corporation to adopt administrative rules to enable credit enhancement for construction loans under the Rental Housing Revolving Fund.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the State has extremely high housing development costs, which have worsened in light of currently high interest rates. These costs are ultimately passed on to housing residents. Your Committee also finds that allowing the Rental Housing Revolving Fund to provide credit enhancement for construction loans will reduce the related financing costs and therefore development costs with very little risk to the fund.

Your Committee notes that S.B. No. 2469, introduced in the Regular Session of 2024, was previously passed by your Committee and would have statutorily authorized the Hawaii Housing Finance and Development Corporation to use Rental Housing Revolving Fund monies for credit enhancement and required the Corporation to adopt administrative rules accordingly. Your Committee is hopeful that future legislatures will pass a measure that provides this statutory authorization to support the reduction of housing costs for Hawaii residents.

Your Committee has amended this measure by:

- (1) Requesting that any funds administered by the Hawaii Housing Finance and Development Corporation be used for credit enhancement, rather than just funds under the Rental Housing Revolving Fund;
- (2) Requiring that certified copies of this measure be sent to all members of the Board of Directors of the Hawaii Housing Finance and Development Corporation;
- (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 Housing that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 50, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 50, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3394 Health and Human Services on S.C.R. No. 23

The purpose and intent of this measure is to urge the Department of Health to amend the Hawaii Administrative Rules to authorize licensed dietitians to prescribe modified diets and plan therapeutic diets.

Your Committee received testimony in support of this measure from two individuals.

Your Committee received comments on this measure from the Office of Health Care Assurance of the Department of Health.

Your Committee finds that the State has repeatedly and consistently been recognized by the federal government as a health professional shortage area. Your Committee also finds that registered dietitian nutritionists are recognized widely by physicians as the most qualified health care professionals to help patients with diet-related conditions; however, existing state regulations do not allow them to independently prescribe or plan diets for patients. Your Committee further finds that, while the federal Centers for Medicare and Medicaid Services announced a final rule authorizing each individual hospital system to grant registered dietitian nutritionists with privileges to independently write diet orders without the supervision or approval of the physician, this authorization must be in conformance with state regulations. Accordingly, this measure urges critical amendments to the Hawaii Administrative Rules to allow hospitals to authorize dietitians to independently prescribe modified diets and plan therapeutic diets, thereby eliminating the need for physicians to do so, so that the physicians may focus on their respective areas of expertise.

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 Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 23, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 23, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3395 Health and Human Services on S.R. No. 15

The purpose and intent of this measure is to urge the Department of Health to amend the Hawaii Administrative Rules to authorize licensed dietitians to prescribe modified diets and plan therapeutic diets.

Your Committee received no testimony on this measure.

Your Committee finds that the State has repeatedly and consistently been recognized by the federal government as a health professional shortage area. Your Committee also finds that registered dietitian nutritionists are recognized widely by physicians as the most qualified health care professionals to help patients with diet-related conditions; however, existing state regulations do not allow them to independently prescribe or plan diets for patients. Your Committee further finds that, while the federal Centers for Medicare and Medicaid Services announced a final rule authorizing each individual hospital system to grant registered dietitian nutritionists with privileges to independently write diet orders without the supervision or approval of the physician, this authorization must be in conformance with state regulations. Accordingly, this measure urges critical amendments to the Hawaii Administrative Rules to allow hospitals to authorize dietitians to independently prescribe modified diets and plan therapeutic diets, thereby eliminating the need for physicians to do so, so that the physicians may focus on their respective areas of expertise.

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 Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 15, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 15, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3396 Ways and Means on H.B. No. 1801

The purpose and intent of this measure is to authorize the issuance of general obligation bonds to finance project appropriations contained in Acts of the Legislature for which the means of funding is designated as general obligation bond funds or reimbursable general obligation bonds funds.

Your Committee received testimony in support of this measure from the Department of Budget and Finance.

Your Committee finds that the proceeds from general obligation bonds authorized by this measure will be used to finance projects that will benefit the State.

Your Committee has amended this measure by:

- (1) Clarifying that the Judiciary Appropriations Act of 2023 should be adjusted to reflect additional appropriations provided in the Judiciary Supplemental Appropriations Act of 2024;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1801, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1801, 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 (Wakai).

SCRep. 3397 Health and Human Services on S.C.R. No. 81

The purpose and intent of this measure is to:

- (1) Urge the Department of Health to explore avenues to ensure continued access to affordable medications for the State's underserved populations under the 340B Drug Pricing Program; and
- (2) Urge Hawaii's congressional delegation and relevant federal agencies to monitor pharmaceutical companies and take appropriate actions to protect the integrity of the 340B Drug Pricing Program.

Your Committee received testimony in support of this measure from the Healthcare Association of Hawaii, Hawai'i Primary Care Association, The Queen's Health System, Wahiawā Center for Community Health, and Waianae Coast Comprehensive Health Center.

Your Committee received testimony in opposition to this measure from the Pharmaceutical Research and Manufacturers of America.

Your Committee finds that the federal 340B Drug Pricing Program (340B Program) was established in 1992 to help shield health care facilities serving low-income and vulnerable populations from high and ever-rising drug costs, and to ensure that they can continue to provide expanded services to those under-served populations. Specifically, the 340B Program requires pharmaceutical manufacturers to provide a discount on outpatient drugs to eligible facilities (340B hospitals) for the manufacturers' medications to be covered by Medicaid. However, in recent years, pharmaceutical companies have been intentionally undermining the purpose of the 340B Program by imposing restrictions on the contracted pharmacies that 340B hospitals may utilize for their patients to access their prescription medications.

Your Committee notes concerns raised in testimony that not only the Department of Health but also the Department of Human Services administers the 340B Program, and therefore, this measure should be directed to the Governor, rather than just the Department of Health, to ensure that both state agencies work together to safeguard the integrity of the 340B Program. Your Committee further

notes testimony noting the importance of this measure including references to federally qualified health centers (FQHCs), since FQHCs are essential partners to the 340B Program through which a large number of residents receive program discounts. Therefore, there is a need to amend this measure to reflect these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Urging the Governor, rather than the Department of Health, to ensure that relevant state agencies, including the Department of Health and Department of Human Services, collaborate to:
 - (A) Explore avenues to collaborate with 340B hospitals and FQHCs, community pharmacies, and other stakeholders to ensure the continued accessibility to affordable medications for underserved populations in Hawaii; and
 - (B) Work with pharmaceutical companies to ensure that the companies uphold their commitment to patient access to affordable pharmaceuticals by refraining from implementing restrictions that undermine the ability of 340B hospitals and FQHCs to serve their patients and communities;
- (2) Inserting language to include federally qualified health centers (FQHCs) as part of the covered entities participating in the 340B Drug Pricing Program;
- (3) Amending its title to reflect its amended purpose; and
- (4) Inserting as additional recipients of its certified copies, the Governor, Director of Human Services, and Administrator of the Centers for Medicare and Medicaid 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 S.C.R. No. 81, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 81, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3398 Health and Human Services on S.R. No. 67

The purpose and intent of this measure is to:

- (1) Urge the Department of Health to explore avenues to ensure continued access to affordable medications for the State's underserved populations under the 340B Drug Pricing Program; and
- (2) Urge Hawaii's congressional delegation and relevant federal agencies to monitor pharmaceutical companies and take appropriate actions to protect the integrity of the 340B Drug Pricing Program.

Your Committee received testimony in support of this measure from the Healthcare Association of Hawaii, Hawai'i Primary Care Association, Wahiawā Center for Community Health, and Waianae Coast Comprehensive Health Center.

Your Committee received testimony in opposition to this measure from the Pharmaceutical Research and Manufacturers of America.

Your Committee finds that the federal 340B Drug Pricing Program (340B Program) was established in 1992 to help shield health care facilities serving low-income and vulnerable populations from high and ever-rising drug costs, and to ensure that they can continue to provide expanded services to those under-served populations. Specifically, the 340B Program requires pharmaceutical manufacturers to provide a discount on outpatient drugs to eligible facilities (340B hospitals) for the manufacturers' medications to be covered by Medicaid. However, in recent years, pharmaceutical companies have been intentionally undermining the purpose of the 340B Program by imposing restrictions on the contracted pharmacies that 340B hospitals may utilize for their patients to access their prescription medications.

Your Committee notes concerns raised in testimony that not only the Department of Health but also the Department of Human Services administers the 340B Program, and therefore, this measure should be directed to the Governor, rather than just the Department of Health, to ensure that both state agencies work together to safeguard the integrity of the 340B Program. Your Committee further notes testimony noting the importance of this measure including references to federally qualified health centers (FQHCs), since FQHCs are essential partners to the 340B Program through which a large number of residents receive program discounts. Therefore, there is a need to amend this measure to reflect these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Urging the Governor, rather than the Department of Health, to ensure that relevant state agencies, including the Department of Health and Department of Human Services, collaborate to:
 - (A) Explore avenues to collaborate with 340B hospitals and FQHCs, community pharmacies, and other stakeholders to ensure the continued accessibility to affordable medications for underserved populations in Hawaii; and
 - (B) Work with pharmaceutical companies to ensure that the companies uphold their commitment to patient access to affordable pharmaceuticals by refraining from implementing restrictions that undermine the ability of 340B hospitals and FQHCs to serve their patients and communities;
- (2) Inserting language to include federally qualified health centers (FQHCs) as part of the covered entities participating in the 340B Drug Pricing Program;
- (3) Amending its title to reflect its amended purpose; and
- (4) Inserting as additional recipients of its certified copies, the Governor, Director of Human Services, and Administrator of the Centers for Medicare and Medicaid 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 S.R. No. 67, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 67, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3399 Health and Human Services on S.C.R. No. 175

The purpose and intent of this measure is to request the Department of Human Services to report on the cultural and therapeutic services provided by community-based organizations at the Kawaioloa Youth and Family Wellness Center.

Your Committee received testimony in support of this measure from the Opportunity Youth Action Hawai'i.

Your Committee finds that ten percent of the State's homeless population is comprised of individuals under the age of eighteen years, and that forty-four percent of homeless youth report having spent time in jail or a juvenile detention center. Your Committee further finds that state-sponsored working groups and recent reports have show that community-based support centers substantially reduce the likelihood that youth are incarcerated or experience homelessness. This measure requests informative reports on the positive effects of services provided by Kawaioloa Youth and Family Wellness Center, where members of the Opportunity Youth Action Hawai'i partner with state and nonprofit agencies to transform punitive modalities of treatment and incarceration with effective therapeutic community-based programs. These reports will assist the state in expanding state and private sector collaboration to implement effective therapeutic and cultural methods that will promote youth wellness and reduce youth homelessness and the negative effects of incarceration.

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. 175 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3400 Health and Human Services on S.R. No. 151

The purpose and intent of this measure is to request the Department of Human Services to report on the cultural and therapeutic services provided by community-based organizations at the Kawaioloa Youth and Family Wellness Center.

Your Committee received testimony in support of this measure from the Opportunity Youth Action Hawai'i.

Your Committee finds that ten percent of the State's homeless population is comprised of individuals under the age of eighteen years, and that forty-four percent of homeless youth report having spent time in jail or a juvenile detention center. Your Committee further finds that state-sponsored working groups and recent reports have show that community-based support centers substantially reduce the likelihood that youth are incarcerated or experience homelessness. This measure requests informative reports on the positive effects of services provided by Kawaioloa Youth and Family Wellness Center, where members of the Opportunity Youth Action Hawai'i partner with state and nonprofit agencies to transform punitive modalities of treatment and incarceration with effective therapeutic community-based programs. These reports will assist the state in expanding state and private sector collaboration to implement effective therapeutic and cultural methods that will promote youth wellness and reduce youth homelessness and the negative effects of incarceration.

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. 151 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3401 Health and Human Services on S.C.R. No. 188

The purpose and intent of this measure is to request the Department of Human Services to immediately cease intercepting Social Security payments for children in foster care and deposit the payments into savings accounts that may be accessed by foster children when they return to their families, and adoption age out of foster care.

Your Committee received testimony in support of this measure from the Democratic Party of Hawai'i Stonewall Caucus and two individuals.

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 benefit payments either because their parents have died or because they have a physical or mental disability that would leave them in poverty without financial assistance. Under federal law, these social security payments are considered the property of the child beneficiary, and for child beneficiaries who are minors, the United States Social Security Administration (SSA) generally appoints representative payees to receive and manage the payments on behalf of the child. Although child welfare service agencies are least preferred as representative payees, many state child welfare agencies, including the Hawaii Department of Human Services, apply to become the representative payee of child beneficiaries in foster care and seize their social security payments purportedly to cover the costs of their care, often without notifying the child or other persons who are more preferred as the child's representative payee. This practice is detrimental to foster children who are social security beneficiaries, as it denies them money that belongs to them and deprives them of the opportunity to accumulate savings that may aid in their transition out of foster care. Accordingly, this measure requests the Department of Human Services to immediately cease this practice and instead set aside the social security payments into saving accounts for the foster children to access upon their exit from the foster system.

Your Committee notes the testimony of the Department of Human Services stating that the social security payments it receives is used for the child's current maintenance needs, such as food, clothing, shelter, medical care, and personal comfort items, as their education-related needs; that the Department has stopped using all forms of social security payments (supplemental security income and retirement, survivors, and disability insurance benefits) it receives, for foster board reimbursement to the State since July 1, 2023, as the Legislature provided funding during the Regular Session of 2023; and that all moneys it receives on behalf of a child is kept in a child specific trust account until the child exits foster care, at which time the moneys are returned to the SSA who will distribute the conserved funds to the individual or to the next representative payee, if required.

Your Committee has amended this measure by:

- (1) Replacing the phrase "immediately cease" with "continue to cease" to note that the Department of Human Services is not intercepting social security payments at this time; and
- (2) Amending its title 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 concurs with the intent and purpose of S.C.R. No. 188, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 188, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3402 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 3

The purpose and intent of this measure is to urge the United States Geological Survey to conduct topographical surveys, particularly within lava-flow hazard zones 1 and 2, to update USGS Miscellaneous Field Studies Map 2193.

Your Committee received testimony in support of this measure from nine individuals.

Your Committee finds that there are six volcanoes that are classified as active in the State: Kilauea, Mauna Loa, Hualalai, and Mauna Kea on Hawaii Island; Haleakala on the east side of Maui; and Kamaehuakanaloa, an underwater volcano within state waters southeast of Hawaii Island. Your Committee further finds that in 1974, the United States Geological Survey (USGS) prepared a map of Hawaii island, titled "USGS Miscellaneous Field Studies Map 2193", that showed long-term lava-flow hazards based on existing geologic data that is still used today. Your Committee notes that the map is outdated and updating it will allow state and county emergency management agencies, and affected residents and businesses to better understand risks from volcanic hazards on Hawaii island.

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. 3, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 3, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3403 Public Safety and Intergovernmental and Military Affairs on S.R. No. 3

The purpose and intent of this measure is to urge the United States Geological Survey to conduct topographical surveys, particularly within lava-flow hazard zones 1 and 2, to update USGS Miscellaneous Field Studies Map 2193.

Your Committee received testimony in support of this measure from two individuals.

Your Committee finds that there are six volcanoes that are classified as active in the State: Kilauea, Mauna Loa, Hualalai, and Mauna Kea on Hawaii Island; Haleakala on the east side of Maui; and Kamaehuakanaloa, an underwater volcano within state waters southeast of Hawaii Island. Your Committee further finds that in 1974, the United States Geological Survey (USGS) prepared a map of Hawaii island, titled "USGS Miscellaneous Field Studies Map 2193", that showed long-term lava-flow hazards based on existing geologic data that is still used today. Your Committee notes that the map is outdated and updating it will allow state and county emergency management agencies, and affected residents and businesses to better understand risks from volcanic hazards on Hawaii island.

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. 3, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 3, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3404 (Joint) Public Safety and Intergovernmental and Military Affairs and Commerce and Consumer Protection on S.C.R. No. 80

The purpose and intent of this measure is to urge the members of Hawaii's congressional delegation to introduce legislation to expand the National Flood Insurance Program to include lava insurance.

Your Committees received testimony in support of this measure from four individuals.

Your Committees find that as a public insurance program, the goals of the National Flood Insurance Program encompass social goals, which differ from private sector insurance companies, including providing flood insurance in flood-prone areas to property owners who otherwise would not be able to obtain it and reducing the amount of federal expenditures for disaster assistance after floods. Your Committees further find that the residents of Hawaii face insurance coverage challenges from both earthquakes and lava flows similar to challenges faced by people who have property in flood-prone areas. Your Committees conclude that expanding the National Flood Insurance Program to include coverage for lava and earthquake insurance could help address the current property insurance crisis in certain areas in the State and help minimize the economic and social hardships faced by many residents affected by damage caused by earthquakes and lava flows.

Your Committees have amended this measure by:

- (1) Inserting language to urge Hawaii's congressional delegation to expand the National Flood Insurance Program to include earthquake insurance;
- (2) Updating legislative findings; 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 Public Safety and Intergovernmental and Military Affairs and Commerce and Consumer Protection that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 80, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 80, 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 (Awa).

Commerce and Consumer Protection: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

SCRep. 3405 (Joint) Public Safety and Intergovernmental and Military Affairs and Commerce and Consumer Protection on S.R. No. 27

The purpose and intent of this measure is to urge the members of Hawaii's congressional delegation to introduce legislation to expand the National Flood Insurance Program to include lava insurance.

Your Committees received testimony in support of this measure from four individuals.

Your Committees find that as a public insurance program, the goals of the National Flood Insurance Program encompass social goals, which differ from private sector insurance companies, including providing flood insurance in flood-prone areas to property owners who otherwise would not be able to obtain it and reducing the amount of federal expenditures for disaster assistance after floods. Your Committees further find that the residents of Hawaii face insurance coverage challenges from both earthquakes and lava flows similar to challenges faced by people who have property in flood-prone areas. Your Committees conclude that expanding the National Flood Insurance Program to include coverage for lava and earthquake insurance could help address the current property insurance crisis in certain areas in the State and help minimize the economic and social hardships faced by many residents affected by damage caused by earthquakes and lava flows.

Your Committees have amended this measure by:

- (1) Inserting language to urge Hawaii's congressional delegation to expand the National Flood Insurance Program to include earthquake insurance;
- (2) Updating legislative findings; 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 Public Safety and Intergovernmental and Military Affairs and Commerce and Consumer Protection that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 27, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 27, 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 (Awa).

Commerce and Consumer Protection: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

SCRep. 3406 (Joint) Public Safety and Intergovernmental and Military Affairs and Agriculture and Environment on S.C.R. No. 27

The purpose and intent of this measure is to encourage the United States Navy to take responsibility for the eradication of octocoral and other invasive species from the waters of Pearl Harbor.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Coordinating Group on Alien Pest Species, one member of the Honolulu City Council, Pearl City Neighborhood Board No. 21, and two individuals.

Your Committees received comments on this measure from the Hawaii Military Affairs Council and Ali'i Pauahi Hawaiian Civic Club.

Your Committees find that octocoral takes over marine habitats extremely quickly because it is a "soft coral" that does not form a calcium exoskeleton like reef-building corals, allowing it to rapidly grow and spread colonies, smothering Hawaiian coral reef ecosystems. Your Committees further find that United States Navy reported the presence of octocoral near Pearl Harbor in late 2020 during surveys that were not focused on these octocorals and recent surveys have documented these species in a much larger area and indicate that they were most likely present before 2019. Your Committees conclude that due to the United States Navy's jurisdiction over Pearl Harbor, the Navy must take action to eradicate octocoral and other invasive species in the waters of Pearl Harbor.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 27, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 27, 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 (Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3407 (Joint) Public Safety and Intergovernmental and Military Affairs and Agriculture and Environment on S.R. No. 17

The purpose and intent of this measure is to encourage the United States Navy to take responsibility for the eradication of octocoral and other invasive species from the waters of Pearl Harbor.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Coordinating Group on Alien Pest Species, one member of the Honolulu City Council, Pearl City Neighborhood Board No. 21, and one individual.

Your Committees received comments on this measure from the Hawaii Military Affairs Council and Ali'i Pauahi Hawaiian Civic Club.

Your Committees find that octocoral takes over marine habitats extremely quickly because it is a "soft coral" that does not form a calcium exoskeleton like reef-building corals, allowing it to rapidly grow and spread colonies, smothering Hawaiian coral reef ecosystems. Your Committees further find that United States Navy reported the presence of octocoral near Pearl Harbor in late 2020 during surveys that were not focused on these octocorals and recent surveys have documented these species in a much larger area and indicate that they were most likely present before 2019. Your Committees conclude that due to the United States Navy's jurisdiction over Pearl Harbor, the Navy must take action to eradicate octocoral and other invasive species in the waters of Pearl Harbor.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 17, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 17, 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 (Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3408 Hawaiian Affairs on S.C.R. No. 114

The purpose and intent of this measure is to urge the Department of Hawaiian Home Lands (Department) to display a portrait of Prince Jonah Kuhio Kalaniana'ole in each state building, office, meeting room, and waiting area under the Department's jurisdiction.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and two individuals.

Your Committee received testimony in opposition to this measure from the John Frederick Heideman Trust and one individual.

Your Committee finds that Prince Kuhio served as a non-voting delegate from Hawaii to the House of Representatives in the United States Congress for twenty years, beginning in 1902. Of Prince Kuhio's many accomplishments as a delegate, most notably is the passage of the Hawaii Homes Commission Act of 1920, which established the Department of Hawaiian Home Lands. This measure will encourage the Department of Hawaiian Home Lands to display a portrait of Prince Kuhio in each state building, office, meeting room, and waiting area under the Department's jurisdiction to honor his legacy.

Your Committee notes that Senate Bill No. 278 (2023) is a similar measure that aims to honor the legacy of Prince Jonah Kuhio Kalaniana'ole by requiring certain public buildings near mass transit projects and on Hawaiian Home Lands to display a portrait of Prince Jonah Kuhio Kalaniana'ole.

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. 114 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Richards). Noes, none. Excused, 1 (Keohokalole).

SCRep. 3409 Hawaiian Affairs on S.R. No. 96

The purpose and intent of this measure is to urge the Department of Hawaiian Home Lands (Department) to display a portrait of Prince Jonah Kuhio Kalaniana'ole in each state building, office, meeting room, and waiting area under the Department's jurisdiction.

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 one individual.

Your Committee finds that Prince Kuhio served as a non-voting delegate from Hawaii to the House of Representatives in the United States Congress for twenty years, beginning in 1902. Of Prince Kuhio's many accomplishments as a delegate, most notably is the passage of the Hawaii Homes Commission Act of 1920, which established the Department of Hawaiian Home Lands. This measure

will encourage the Department of Hawaiian Home Lands to display a portrait of Prince Kuhio in each state building, office, meeting room, and waiting area under the Department's jurisdiction to honor his legacy.

Your Committee notes that Senate Bill No. 278 (2023) is a similar measure that aims to honor the legacy of Prince Jonah Kuhio Kalaniana'ole by requiring certain public buildings near mass transit projects and on Hawaiian Home Lands to display a portrait of Prince Jonah Kuhio Kalaniana'ole.

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. 96 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Richards). Noes, none. Excused, 1 (Keohokalole).

SCRep. 3410 Hawaiian Affairs on S.C.R. No. 87

The purpose and intent of this measure is to urge the Department of Hawaiian Home Lands to adopt and implement a neighborhood security watch in each homestead area.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and one individual.

Your Committee finds that state law enforcement officers and county police officers are inconsistent in their response to requests for law enforcement service on lands under the jurisdiction of the Department of Hawaiian Home Lands (Department) as they often seek permission from the Department before entering homestead lands to investigate illegal activity. Consequently, illegal activities on homestead lands have festered and worsened, causing homesteaders to organize themselves to protect their communities by becoming homestead Neighborhood Security Watch (NSW) volunteers. NSW volunteers are well-trained and work closely with law enforcement officers to ensure safety in their communities. This measure will promote the safety and security of homestead lands by urging the Department to adopt and implement a Neighborhood Security Watch in each homestead area.

Your Committee notes that the Department of Hawaiian Home Lands is currently utilizing a multi-pronged approach, including the establishment of a Permitted Interaction Group (P.I.G.) to study and recommend strategies related to safety and the enforcement of lease terms and conditions on Hawaiian Home Lands. Your Committee also notes that the Department of Hawaiian Home Lands has been working to fill vacant positions for the Compliance and Enforcement Team at the Department and the Department is aware of the current collaborative efforts between neighborhood security watch groups, law enforcement, and the Department.

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. 87 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3411 Hawaiian Affairs on S.R. No. 73

The purpose and intent of this measure is to urge the Department of Hawaiian Home Lands to adopt and implement a neighborhood security watch in each homestead area.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands.

Your Committee finds that state law enforcement officers and county police officers are inconsistent in their response to requests for law enforcement service on lands under the jurisdiction of the Department of Hawaiian Home Lands (Department) as they often seek permission from the Department before entering homestead lands to investigate illegal activity. Consequently, illegal activities on homestead lands have festered and worsened, causing homesteaders to organize themselves to protect their communities by becoming homestead Neighborhood Security Watch (NSW) volunteers. NSW volunteers are well-trained and work closely with law enforcement officers to ensure safety in their communities. This measure will promote the safety and security of homestead lands by urging the Department to adopt and implement a Neighborhood Security Watch in each homestead area.

Your Committee notes that the Department of Hawaiian Home Lands is currently utilizing a multi-pronged approach, including the establishment of a Permitted Interaction Group (P.I.G.) to study and recommend strategies related to safety and the enforcement of lease terms and conditions on Hawaiian Home Lands. Your Committee also notes that the Department of Hawaiian Home Lands has been working to fill vacant positions for the Compliance and Enforcement Team at the Department and the Department is aware of the current collaborative efforts between neighborhood security watch groups, law enforcement, and the Department.

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. 73 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3412 Commerce and Consumer Protection on Gov. Msg. Nos. 506 and 507

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF MASSAGE THERAPY

G.M. No. 506 SEAN ST. LOUIS, for a term to expire 06-30-2027; and

G.M. No. 507 SHANON SKOOG, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Sean St. Louis and Shanon Skoog for service on the Board of Massage Therapy.

SEAN ST. LOUIS

Your Committee received testimony in support of the nomination for the appointment of Sean St. Louis from the Board of Massage Therapy and two individuals.

Upon review of the testimony, your Committee finds that Mr. St. Louis' background, experience, and dedication to community service qualify him to be appointed to the Board of Massage Therapy as a licensed massage therapist member. Mr. St. Louis is recognized by his peers as a highly skilled massage therapist, and he has worked with many celebrities, athletes, and other high-profile clientele over the course of his career. Mr. St. Louis has been a licensed massage therapist in Hawaii for over twenty years and has been employed at the Halekulani Hotel in Waikiki since 2017, where he practices a broad range of various massage modalities. Previously, Mr. St. Louis gained considerable massage therapy experience through his work on Hawaii island at the Fairmont Orchid in Kamuela, Hilton Waikoloa Village, Kona Village Resort, and Kohala Coast Hotel. Mr. St. Louis graduated from the Hawaiian Islands School of Massage in 2003. Mr. St. Louis has also completed 1,250 hours in education and training in medical massage. Your Committee notes that Mr. St. Louis has been serving as an interim member of the Board of Massage Therapy since January 2024 and has a thorough understanding of the role and responsibilities of board members. Your Committee therefore recommends that Sean St. Louis be appointed to the Board of Massage Therapy based on his knowledge, experience, and commitment to public service.

SHANON SKOOG

Your Committee received testimony in support of the nomination for the appointment of Shanon Skoog from the Board of Massage Therapy, Massage Envy Hawaii, and four individuals.

Upon review of the testimony, your Committee finds that Ms. Skoog's background, management experience, and interest in serving her community qualify her to be appointed to the Board of Massage Therapy as a public member. Ms. Skoog is currently the Director of Development at Massage Envy Hawaii, where she has dedicated herself to supporting the professional growth of the company's therapist students and future students who are pursuing careers as licensed massage therapists. Previously, she developed her management and organizational skills as a Clinic Manager and Assistant Manager and Trainer at various Massage Envy regional locations, where she helped lead a team of sixty members to achieve various Massage Envy national awards. Ms. Skoog is recognized by her peers and employees as a positive, empathetic, and compassionate team leader, whose mentorship and support has positively impacted many personally and professionally. Further, Ms. Skoog has established and cultivated collaborative partnerships with local massage schools and has been a guest speaker at various events, where she has shared her insight on ethics in the profession, treatment room management, and resume development. Your Committee notes that Ms. Skoog has served as an interim member of the Board of Massage Therapy and her extensive leadership and career development and business management experience will provide a thoughtful and considerate perspective that will enhance the effectiveness of the Board. Your Committee therefore recommends that Shanon Skoog be appointed to the Board of Massage Therapy based on her experience, background, and dedication to 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, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 3413 Commerce and Consumer Protection on H.B. No. 1836

The purpose and intent of this measure is to allow registered pharmacists, during declared states of emergency, to refill prescriptions for up to a thirty-day supply if the practitioner is unavailable or cannot be contacted to authorize the refill and if, in the pharmacist's professional judgment, failure to refill the prescription might interrupt the patient's ongoing care and have a significant adverse effect on the patient's well-being.

Your Committee received testimony in support of this measure from the Board of Pharmacy, Hawai'i State Council on Developmental Disabilities, Hawai'i Primary Care Association, Healthcare Association of Hawaii, American Cancer Society Cancer Action Network, Hawaii Medical Service Association, Walgreen Co., and two individuals.

Your Committee finds that even slight delays in prescription refills can have negative impacts on patient health and can be especially harmful for those with chronic health conditions, such as high blood pressure, heart disease, and diabetes, that require medication to be taken every day. Your Committee further finds that during a state of emergency, patients who are unable to reach their practitioner to obtain a prescription refill authorization can go days or weeks without the medications they require, placing them at risk of worsening disease, hospitalization, or death. Therefore, this measure allows registered pharmacists to refill prescriptions during a state of emergency under certain conditions to ensure that patients can obtain their necessary medications in a timely manner.

Your Committee has amended this measure by:

- (1) Inserting language clarifying that refills of prescriptions without the practitioner's authorization pursuant to this measure is limited for persons directly impacted by the declared emergency;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of July 1, 2040, 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 H.B. No. 1836, 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. 1836, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4; Ayes with Reservations (McKelvey). Noes, none. Excused, 1 (Richards).

SCRep. 3414 (Majority) Commerce and Consumer Protection on H.B. No. 2390

The purpose and intent of this measure is to:

- (1) Require the Public Utilities Commission (PUC) to explicitly consider the effect of the State's reliance on fossil fuels on lifecycle greenhouse gas emissions when making determinations of the reasonableness of costs pertaining to electric or gas utility system capital improvements and operations;
- (2) Allow the PUC to require a lifecycle greenhouse gas emissions assessment for energy projects that do not involve the combustion of fuel; and
- (3) Clarify that the PUC shall consider, in part, the costs and benefits of a diverse portfolio of energy resources, rather than a diverse portfolio of fossil fuels to lower and stabilize the cost of electricity.

Your Committee received testimony in support of this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Public Utilities Commission, Hawai'i Climate Change Mitigation and Adaptation Commission, Hawaiian Electric, and one individual.

Your Committee finds that existing law requires the PUC to explicitly consider the effect of the State's reliance on fossil fuels on, among other things, greenhouse gas emissions, in determining the reasonableness of the costs pertaining to electric or gas utility system capital improvements and operations seeking PUC approval. By requiring the PUC to consider the greenhouse gas emissions over the course of a project's lifecycle, this measure will provide a more accurate representation of the project's costs and environmental impacts, thus facilitating a more informed decision-making by the PUC and protection of the public interest.

Your Committee notes concerns raised in testimony that although this measure is intended to enable the PUC to exercise discretion on whether to require a lifecycle greenhouse gas emissions assessment for non-combusting electrical energy generation projects, such as wind and solar projects that often have minimal net lifecycle greenhouse gas emissions, the measure, in its current form, may have an unintended consequence of creating a potential loophole for gas utility projects to argue that a greenhouse gas emissions assessment should be discretionary for them because the project will not involve combustion on its side of the meter, and therefore, the customers would be the entities combusting the fuel. Therefore, there is a need to amend this measure to clarify that gas utility projects will continue to be subject to the mandatory greenhouse gas emission assessment requirement.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language expanding the definition of "lifecycle greenhouse gas emissions assessment" to mean the evaluation of potential greenhouse gas emissions over the course of a product, program, or project's lifetime or stages of production, construction, operations, and decommissioning, including operation stages such as the use of any fuels or feedstocks and the production of any materials;
- (2) Clarifying that the PUC may waive the requirement for a lifecycle greenhouse gas emissions assessment for energy projects that do not involve combustion;
- (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 H.B. No. 2390, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2390, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Richards).

SCRep. 3415 Judiciary on H.B. No. 1880

The purpose and intent of this measure is to reschedule the post-election assembly of presidential electors to the first Tuesday after the second Wednesday in December next following their election.

Your Committee received testimony in support of this measure from the Office of Elections.

Your Committee finds that Congress passed the Electoral Count Reform and Presidential Transition Improvement Act of 2022, which changed the date of the Electoral College by one day from the first Monday after the second Wednesday in December to the first Tuesday. This measure will conform existing state law to the Electoral Count Reform and Presidential Transition Improvement Act of 2022 regarding the date of the convening of the Electoral College.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1880, 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. 3416 Judiciary on H.B. No. 2072

The purpose and intent of this measure is to:

- (1) Require certain solicitations that reference disasters to include a disclosure; and

(2) Deem violators guilty of a class C felony.

Your Committee received testimony in support of this measure from the Campaign Spending Commission.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that natural disasters present an opportunity for persons to fraudulently solicit contributions for disaster relief victims during a state of emergency declared by the Governor. Your Committee believes that deceptive solicitations of contributions connected to disasters should be discouraged. This measure provides the State with a means to prosecute persons, including candidate committees, engaging in charitable fraud and theft in the wake of an emergency.

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. 2072, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2072, 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. 3417 Judiciary on H.B. No. 1879

The purpose and intent of this measure is to provide that certain information to be included in any digital voter information guide shall not be released to any requestor in whole or in part before the public release of the entire guide.

Your Committee received testimony in support of this measure from the Office of Elections and one individual.

Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that existing law is unclear as to whether an open records request can be made for a candidate's statement before the actual guide is released or if it should be rejected on the grounds that if granted it would frustrate a legitimate government function by undermining one of the purposes of the voter information guide. Your Committee believes that the law should be changed to clarify that a candidate's statement should not be available ahead of the release of the digital voter information guide, as it may provide an unfair advantage to the requestor which could impact the election. This measure will ensure the uniform, equitable, and coordinated release of information of the contents of the voter information guide.

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. 1879, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1879, 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. 3418 Judiciary on H.B. No. 2513

The purpose and intent of this measure is to expand expungement eligibility to persons whose convictions for consuming a measurable amount of alcohol while underage or first-time property offenses predated current expungement provisions.

Your Committee received testimony in support of this measure from the Office of the Public Defender and Opportunity Youth Action Hawai'i.

Your Committee received testimony in opposition to this measure from the Crime Victim Compensation Commission, Department of the Prosecuting Attorney of the City and County of Honolulu, Mothers Against Drunk Driving Hawaii, and Retail Merchants of Hawaii.

Your Committee finds that currently, persons convicted under section 291E-64, Hawaii Revised Statutes, for driving under the influence of an intoxicant while under the age of twenty-one or who qualify for sentencing under section 706-622.9, Hawaii Revised Statutes, for a first-time property offense are able to expunge their conviction and arrest record. However, persons who were convicted before the laws explicitly permitting expungement for these offenses were enacted are unable to receive the same benefits of expunging their conviction and arrest record afforded by existing law. This measure will allow persons convicted under prior statutes to receive eligibility for expungement by applying existing expungement opportunities retroactively to persons previously convicted.

Your Committee has amended this measure by:

- (1) Inserting legislative findings clarifying that persons under the age of twenty-one who engaged in driving under the influence of an intoxicant lack access to expungement eligibility if their offense predated current expungement provisions; and
- (2) Making it effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2513, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2513, 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. 3419 Ways and Means on H.B. No. 1800

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 (FB25).

Your Committee received testimony in support of this measure from Hawai'i Early Intervention Coordinating Council; State Council on Developmental Disabilities; Executive Office on Aging; Executive Office on Early Learning; Hawaii Green Infrastructure Authority; Department of Commerce & Consumer Affairs; Mililani Mauka Elementary School; Paauilo Elementary and Intermediate; Na'alehu Elementary School; Hana High and Elementary School; Department of Budget and Finance; Department of the Attorney General; Office of the Governor; Department of Land and Natural Resources; Department of Health; Kohala Elementary School; Kohala High School; Kaumana Elementary; Office of Planning and Sustainable Development; University of Hawaii; Department of Education Central Oahu District Office; Department of Human Resources Development; Department of Hawaiian Home Lands; Kaneohe Elementary School; Department of Law Enforcement; Hawaii State Department of Education; Office of Hawaiian Affairs; Department of Business, Economic Development, and Tourism; Department of Labor and Industrial Relations; Department of Taxation; Hawaii Community Development Authority; Department of Accounting and General Services; Hawaii Housing Finance & Development Corporation; Hawaii Department of Agriculture; Waiahole Elementary School; Public Utilities Commission; Hawaii State Public Library System; Pomaikai Elementary; Hawaii Technology Development Corporation; Agribusiness Development Corporation; Hawaii Public Housing Authority; Criminal Justice Research Institute; Early Learning Board; Judiciary, State of Hawaii; State Public Charter School Commission; Board of Education; Department of Corrections and Rehabilitation; Department of Human Services; Hawaii Correctional System Oversight Commission; Hawaii Tourism Authority; Hawaii State Energy Office; Waianae High School; Department of Transportation; State of Hawaii Climate Change Mitigation and Adaptation Commission; Department of Defense; County of Kauai Office of the Prosecuting Attorney; Maui County Department of the Prosecuting Attorney; Hawai'i County Office of the Prosecuting Attorney; Board of Water Supply; HE'E Coalition; Malama Makua; Ohana Hoopakele; FAMM; Community Alliance on Prisons; Hawaii True Cost Coalition; National Association for Civilian Oversight of Law Enforcement; Prison and Jail Innovation Lab, LBJ School of Public Affairs, University of Texas; Hawaii Food Industry Association; 3D Innovations; Hawaii Hui LLC; MorphOptic, Inc.; Min Plastics & Supply, Inc.; Going Home Hawai'i; Aloha Edibles; Hawaiian Chip Company, LLC; Malie, Inc.; Hawaii Afterschool Alliance; Mana Up; Hawaii Venture Capital Association; 'Imi Ola Support Services; Hawaii Health Systems Corporation; Parents And Children Together; Guide Star Engineering LLC; Hawai'i Friends of Restorative Justice; Ai.Fish LLC; Care for Aina Now Coalition; Small Kine Farm; Ma'i Movement Hawai'i; PERIOD.; Local Food Coalition; Hawaii Fish Company Inc.; Hawaii Association for Behavior Analysis; Hawai'i Women's Coalition; Jun Innovations Inc; Healthcare Association of Hawaii; Aloha Shoyu Company, Ltd.; HNU Photonics; YWCA Oahu; Referentia Systems; North Shore Hydrological Services; Blue Startups, LLC; Hawaii Alliance for Progressive Action; Indivisible Hawaii; Indivisible Hawaii; Hawai'i Public Health Institute; Ten Tomorrow; AF3IRM Hawaii; and sixty-five individuals.

Your Committee received testimony in opposition to this measure from Reimagining Public Safety in Hawai'i Coalition; American Civil Liberties Union of Hawaii; Reimagining Public Safety; and eighteen individuals

Your Committee received comments on this measure from The Stadium Authority; Honolulu Department of the Prosecuting Attorney; Andria Tupola, Honolulu City Councilmember, District 1; Hawaii Harbors Users Group; Microsoft Corporation; Natural Energy Laboratory of Hawaii Authority; Maui Health Systems; Hawai'i Children's Action Network Speaks!; and two individuals.

PART I. HOUSE BILL NO. 1800, HOUSE DRAFT 1

This measure, as received, includes:

- (1) The base budget from Act 164, Session Laws of Hawaii (SLH) 2023;
- (2) The reduction of line-item vetoes from the base budget from Act 164, SLH 2023, pursuant to Governor's Message No. 1233;
- (3) Program appropriation provisions that lapse previously appropriated general funds from Act 164, SLH 2023, and other bills with appropriations; and
- (4) The changes incorporated in House Bill No. 1800, House Draft 1 (H.B. No. 1800, H.D. 1), including salary adjustments to appropriate full-year funding for new and vacant positions.

Your Committee finds that, according to Department of Human Resources Development (DHRD), the overall timeline of the recruitment process takes an average of about seven months to one year. According to the Report to the 2024 Legislature as required by Act 57, SLH 2019, DHRD averages about five hundred open recruitments on any given day. Recognizing the challenges to establish and fill positions expeditiously, Finance Memorandum No. 22-11, dated September 23, 2022, stated that "new positions shall be funded for a maximum of six months for the first year then for the full year thereafter". As such, Finance Memorandum No. 23-12, dated September 5, 2023, includes a request category for full-year funding. This means a request to provide full-year funding for half-year funded positions. While filling vacancies to deliver core services and programs is important for the people of the Hawaii, your Committee disagrees with H.B. No. 1800, H.D. 1 to appropriate full-year funding for all new positions. There are more pressing and immediate needs such as Maui recovery efforts and continuation and restoration of safety net programs across the State.

Your Committee finds that section 5 of H.B. No. 1800, H.D. 1 details program appropriation provisions that lapse previously appropriated general funds from Act 164, SLH 2023, and other general fund appropriations in other Acts from 2022 and 2023. In total, section 5 of H.B. No. 1800, H.D. 1 proposes to lapse a total of \$153,091,433 in general funds, which includes:

- (1) An aggregate total of \$51,567,433 in fiscal year beginning July 1, 2023, and ending June 30, 2024 (FY24) from Act 154, SLH 2023, for various programs and services, including:
 - (A) \$500,000 for the Festival of Pacific Arts and Culture;

- (B) \$5,250,000 for the Small Business Credit Initiative;
 - (C) \$5,000,000 for an affordable rental housing construction incentive program;
 - (D) \$3,600,000 for a shoreline project along Kamehameha Highway in the vicinity of Kaaawa Elementary school;
 - (E) \$9,000,000 for the Mauna Kea Stewardship Oversight Authority;
 - (F) \$2,940,000 for King Kalakaua Building roofing project; and
 - (G) \$25,277,433 for the Department of Budget and Finance;
- (2) \$60,000,000 in fiscal year beginning on July 1, 2022, and ending on June 30, 2023 (FY23) from Act 248, SLH 2022, for repairs and maintenance projects in the Department of Education;
 - (3) \$4,524,000 in FY24 from Act 95, SLH 2023, for a supportive housing pilot program in the Statewide Office on Homelessness and Housing Solutions;
 - (4) \$1,500,000 in FY24 from Act 97, SLH 2023, for affordable housing under the Hawaii Community Development Authority; and
 - (5) \$5,000,000 in FY24 from Act 218, SLH 2023, for irrigation infrastructure to support farmers by the Department of Agriculture.

Your Committee finds that, in consultation with each of the impacted departments, there are plans to encumber and/or spend \$112,351,754 out of the proposed \$153,091,433 general fund lapses, leaving \$40,739,679 of funds that can realistically be lapsed. The proposed lapses for these funds that have been committed, at best, would be rendered ineffective and the funds would not lapse, but, at worst, would force the departments to suspend activities, terminate the impacted projects, and forfeit extramural matching funds up to \$42,000,000. As such, the subject forced lapses are a disservice to the planning and commitments behind each affected project, program, and the people who supported them.

Your Committee has identified the following changes that were incorporated in the House Draft that negatively impact the safety, financial sustainability, and prosperity of the State:

- (1) A general fund appropriation of \$1,051,100,000 for wildfire response and recovery efforts to the Department of Budget and Finance;
- (2) A special fund ceiling reduction of \$49,500,000 from \$49,500,000 to \$0 for operations and development of the Aloha Stadium;
- (3) A series of adjustments to provide guard services for the Capitol District, including:
 - (A) A general fund appropriation of \$5,481,362 to the Department of Accounting and General Services;
 - (B) A general fund reduction of \$1,129,242 from state retirement benefits; and
 - (C) A general fund reduction of \$1,752,120 from General Administration from the Department of Law Enforcement;
- (4) A general fund reduction of \$1,484,052 from \$2,456,750 to \$972,698 for the Victim Witness Protection and Career Criminal Prosecution Programs;
- (5) A general fund reduction of \$1,319,999 from \$1,320,000 to \$1 for Homeless Programs Office contract increases;
- (6) A general fund reduction of \$13,199,999 from \$20,000,000 to \$6,800,001 for psychiatric in-patient services;
- (7) A special fund ceiling reduction of \$800,000 from \$800,000 to \$0 for sport fishing;
- (8) A special fund ceiling reduction of \$900,000 from \$900,000 to \$0 for roadside safety maintenance; and
- (9) A special fund ceiling reduction of \$300,000 from \$300,000 to \$0 for County of Hawaii Highway police services.
- (10) A general fund reduction from \$5,000,000 to \$0 for debris removal services for State highways;

Your Committee received testimony from the impacted departments that details some of the negative impacts of each of the aforementioned adjustments incorporated into H.B. No. 1800, H.D. 1.

Your Committee finds that the \$1,051,100,000 general fund appropriation does not provide resources that address the needs of Maui survivors in timely matter, according to funding requests from the Administration through Governor's Messages and bills. For example, GM4 requested \$297,000,000 in FY24. Moreover, the \$1,051,100,000 general fund appropriation reflects a lack of transparency on how the funds align with state and county housing and recovery plans for Maui survivors. Therefore, your Committee has appropriated the funds for Maui wildfire recovery efforts requested by the Administration in House Bill No. 679, House Bill No. 2610, Senate Bill No. 582, and Senate Bill No. 3068 to increase public transparency. These stand-alone bills provide clear legislative direction, while allowing public participation, on the budget preparation and execution process.

Your Committee received testimony from the Department of Business, Economic Development, and Tourism, as well as the Stadium Authority, stating that without the special fund ceiling increase of \$49,500,000, the long-term sustainability of the New Aloha Stadium Entertainment District (NASED) could be compromised. Your Committee notes that the subject appropriation would have no negative financial impact on the general fund or Stadium Development Special Fund. The subject appropriation would allow the Stadium Authority to expend funds appropriated and deposited into the special fund pursuant to Act 248, SLH 2022. The NASED aligns with the Halawa Area Transit-Oriented Development Plan. The plan envisions the stadium site to develop a mix of affordable housing, commercial, office, entertainment, and cultural uses. On December 14, 2023, the Request for Proposals for the NASED was published to select a master developer to master plan and deliver NASED as an integrated public-private partnership. On March 28,

2024, the State announced that two priority-listed offerors were selected to proceed to the Proposals Phase. Therefore, your Committee recommends supporting the current procurement process by adding the requested \$49,500,000 special fund ceiling increase for NASED.

Your Committee received testimony from the Department of Law Enforcement (DLE) requesting a direct appropriation to DLE for security and monitoring contracts for the Capitol District, which would remove the unnecessary transfer of funds between DLE and the Department of Accounting and General Services (DAGS). According to the DLE, DAGS requested DLE to assume responsibility of security and monitoring contracts for the Capitol District. As such, your Committee finds that appropriating the funding for these services to DAGS instead of DLE, as in the House Draft, does not align with this DAGS-DLE agreement. Furthermore, the House Draft reduces funds from the base of the Retirement Benefits – State (BUF741) within the Department of Budget and Finance and General Administration from DLE (LAW900). Your Committee finds that both reductions would have detrimental and significant negative effects to the departments. Therefore, your Committee recommends supporting the DLE, DAGS, and the Department of Budget and Finance by adding the requested \$2,600,000 general funds to DLE for the continuation of security services.

Your Committee received testimony to restore the proposed reduction of \$736,785 for the Victim Witness Program and \$747,267 for the Career Criminal Prosecution Program, including from the Department of the Prosecuting Attorney of the City and County of Honolulu, a Honolulu City Council Member, and Mothers Against Drunk Driving Hawaii. Your Committee notes that the subject reduction totaling \$1,484,052 specifically targets the Prosecuting Attorney of the City and County of Honolulu. Your Committee recognizes the importance of these programs in promoting safer communities. The Career Criminal Prosecution Program, pursuant to Chapter 845, Hawaii Revised Statutes (HRS), focuses on the prosecution of repeat and violent offenders, and the Victim Witness Program, pursuant to section 28-111, HRS, supports the provision of direct services to victims of crime. Therefore, your Committee recommends supporting the Department of the Attorney General and survivors of crime by adding the requested \$2,456,750 in general funds for the Career Criminal Prosecution Program and the Victim Witness Program.

Your Committee received testimony from the Department of Human Services (DHS) stating that without the \$1,320,000 general fund appropriation for homeless programs, budgeted amounts for contracted services would not keep pace with the cost of living adjustments. According to DHS, despite the increasing cost of living, funds for purchase of service contracts have not been increased in over a decade. Your Committee finds that these funds are essential to avoid a reduction in these critical services, which would exacerbate the homelessness crisis across Hawaii. Caring for individuals experiencing homelessness also becomes more complex and difficult to serve the longer they spend unsheltered or in encampments. Therefore, your Committee recommends supporting efforts to combat houselessness by adding the requested \$1,320,000 general funds to increase funding for Homeless Program Office contracts.

Your Committee received testimony from the Department of Health (DOH) stating that with the \$1 general fund appropriation for psychiatric in-patient services, the bed lease contract with Kahi Mohala would terminate. Legally required to continue care for the patients housed at Kahi Mohala, these patients would be returned to the Hawaii State Hospital (HSH) where current census numbers have already exceeded the hospital's maximum capacity limit. The subject testimony notes that this would not only severely impact the HSH's ability to provide quality in-patient psychiatric care, but could cost the State an additional \$20,000,000 annually. In light of the recent fatal stabbing of a HSH staff member, your Committee recognizes the importance of providing adequate resources to HSH to ensure the safety of the general public and our healthcare workers. Therefore, your Committee recommends supporting health, safety, and wellness initiatives by adding \$14,800,000 for psychiatric in-patient services, including \$8,000,000 for contracted Services at Kahi Mohala.

Your Committee received testimony from the Department of Land and Natural Resources (DLNR) stating that the \$800,000 special fund ceiling increase for sport fishing would have no negative financial impact to the general fund or Sport Fish Special Fund. However, DLNR would not be able to execute projects that were previously committed through the newly established non-resident marine recreational sport fish license, in accordance with Act 48, SLH 2021. Your Committee recognizes that without the subject ceiling appropriation, the State jeopardizes up to \$1,000,000 in revenue generated from this new fee, which could provide stable funding for local marine fishery resources, and up to \$3,000,000 of federal grants per year, pursuant to section 187A-9, HRS. Therefore, your Committee recommends supporting the protection of natural resources by adding the requested \$800,000 special fund ceiling increase for sport fishing.

Your Committee received testimony from the Department of Transportation (DOT) stating that the \$900,000 special fund ceiling increase for roadside safety maintenance would have no negative financial impact to the general fund or State Highway Special Fund. The subject testimony notes that Hawaii Correctional Industries (HCI) performs grass cutting and litter pickup that are vital to keeping State highways safe and clean. Without the subject increase ceiling appropriation, more unsafe conditions will be created for the public and motorists, and the backlog of work will be exacerbated. Furthermore, your Committee finds that the contract with DOT is HCI's largest contract and provides inmates with the opportunity to have real-life job experience and earn income in preparation for re-integration back into the community. Without the requested funding to DOT, the Department of Corrections and Rehabilitation would begin to lay off employees. Therefore, your Committee recommends increasing road safety by adding the requested \$900,000 special fund ceiling increase.

Your Committee received testimony from DOT stating that the \$300,000 special fund ceiling increase for County of Hawaii police services would have no negative financial impact to the general fund or State Highway Special Fund. The subject testimony notes that only County of Hawaii Police Officers can direct traffic for emergency highway repairs and that without these services, an unsafe condition will be created for the public and motorists. Therefore, your Committee recommends supporting road safety by adding the requested \$300,000 special fund ceiling increase.

Having received testimony on the impacts of some of these proposed changes included in H.B. No. 1800, H.D. 1, your Committee has worked in collaboration with each impacted department to identify the resources needed to deliver these critical programs and services.

PART II. OVERVIEW

Your Committee developed a state budget that is balanced, maintains core statewide services, and leaves the State with adequate levels of fiscal reserves by amending this measure to include:

- (1) Certain appropriations for trade-offs, transfers, change in means of financing, conversions of positions from temporary to permanent, reductions, and additions from Governor’s Message No. 2 (GM2), dated December 18, 2023, and Finance Memorandum No. 23-19, pursuant to Article VII, section 9, of the Hawaii State Constitution;
- (2) Certain appropriations for change in means and financing, conversions of positions from temporary to permanent, reductions, and additions from Governor’s Message No. 5, dated March 5, 2024;
- (3) The addition of funding for priority budget requests as discussed below;
- (4) The reduction of vacant positions in accordance with the 2023 State of Hawaii Act 57, Session Laws of Hawaii (SLH) 2019 Vacancy Report provided by the Department of Human Resources Development (DHRD), pursuant to section 26-5(a)(2), Hawaii Revised Statutes (HRS); and
- (5) The funding for rental of buildings and land to be non-recurring, pursuant to section 40-14, HRS, which requires the Comptroller to reduce the total square footage of leased space by ten percent by 2026.

Your Committee has amended this measure and proposes an operating budget with the following totals for the fiscal year beginning July 1, 2024, and ending June 30, 2025 (FY25):

Means of Financing	Governor’s Request (GM2)	Governor’s Adjusted Request (GM5)	Senate Draft
General Funds	\$10,222,773,724	\$10,284,122,664	\$10,321,347,535
All Means of Financing	\$19,242,796,966	\$19,343,740,936	\$19,098,388,299

PART III. BUDGETING FOR WILDFIRE RECOVERY

Your Committee acknowledges that on August 8, 2023, heavy winds from Hurricane Dora transformed brush fires on the islands of Maui and Hawai’i into the worst natural disaster in the State’s history. Disaster proclamations by the County of Maui and by the Governor were soon followed by a federal declaration by President Biden. On October 30, 2023, Executive Memorandum No. 23-08 was issued, which re-directed \$164,097,551, after adjustments, from selected general fund operating appropriations from Act 164, SLH 2023, to address immediate 2023 wildfires funding needs.

Your Committee finds that the state financial plan, as proposed by the Governor, pursuant to Article VII, section 9, of the Hawaii State Constitution, allocated \$600,000,000 across the next four fiscal years for Maui wildfires recovery and response efforts. However, your Committee finds that, in collaboration with the Hawaii Emergency Management Agency, Department of Defense, and the Department of Budget and Finance, the State faces expenditures and unfunded liabilities of over \$600,000,000 in the fiscal year beginning July 1, 2023, and ending June 30, 2024 (FY24). To formalize spending guardrails and to help ensure the financial security of the State, Executive Memorandum No. 24-01 was issued, which requires approval from the Governor and the Department of Budget and Finance for expenditures deemed likely to be ineligible for reimbursement from the Federal Emergency Management Agency (FEMA). Your Committee passed a short form bill in an amended form, Senate Bill No. 582, S.D. 1 – Relating to State Budget (S.B. No. 582), recognizing the immediate and imminent financial needs for wildfire recovery efforts. Your Committee also held an informational briefing on February 20, 2024, to illuminate these fiscal challenges for the public.

Thereafter, your Committee received Governor’s Message No. 3 (GM3), dated February 26, 2024, which requested expeditious consideration, in accordance with Article VII, section 9, of the Constitution of the State of Hawaii, of S.B. No. 582. Your Committee acknowledges the necessity of GM3 because the Administration’s legislative package did not include an emergency appropriation bill for wildfire recovery. However, while GM3 stated that expenditures were expected to exceed the entire \$199,097,551 appropriation deposited into the Major Disaster Fund, it did not specify the financial resources needed for wildfire recovery efforts. Your Committee notes that in an informational briefing on February 29, 2024, the Department of Budget and Finance informed your Committee that funds resulting from the five percent hard restrictions from each Executive Branch department would be transferred to the Major Disaster Fund to cover the shortfall of funds that the Administration initially projected for Maui wildfire recovery efforts.

Subsequently, your Committee received Governor’s Message No. 4 (GM4), dated March 1, 2024, which recommended the proposed provisions for S.B. No. 582:

- (1) A general fund appropriation of \$297,000,000 to cover immediate expenses in FY24 for non-congregate sheltering and expenses for individuals impacted by the wildfires who have been classified as not eligible for Federal Emergency Management Agency assistance;
- (2) A general fund appropriation of \$65,000,000 to cover the State’s contribution to the One Ohana bank trust account to compensate victims of the Maui wildfires; and
- (3) Repeal of the \$350,000,000 general obligation bond appropriation for the Other Post-Employment Benefits Trust Fund originally made in Act 247, Session Laws of Hawaii 2022.

In addition to the expenses in the amount of \$362,000,000 that was identified in GM4, your Committee finds that there may be additional expenses that the State must pay upfront that are still being calculated. Based on information provided and requests made from the Administration, your Committee estimates that general fund obligations in FY24 for Maui wildfire recovery efforts total

\$754,216,070. This total does not include any cost overruns due to the need to house displaced households in non-congregate sheltering beyond June 2024.

Despite exhausting the entire \$199,097,551 appropriation deposited into the Major Disaster Fund and identifying unfunded liabilities in the amount of \$297,065,000 for Maui recovery efforts, your Committee received GM5, which proposed an additional \$61,248,940 in general funds to the Executive Supplemental Budget for the Departments of Agriculture; Accounting and General Services; Business, Economic Development, and Tourism; Defense; Education; Human Services; Human Resources Development; Health; Law Enforcement; Land and Natural Resources; and Transportation; and the Hawaii Health Systems Corporation and the University of Hawaii.

Lastly, your Committee received Governor’s Message No. 6 (GM6), dated March 7, 2024, to correct the amount of the general obligation bond appropriation that was proposed to be repealed in GM4 for the Other Post-Employment Benefits Trust Fund originally made in Act 247, SLH 2022 from \$350,000,000 to \$300,000,000. Altogether, your Committee finds that neither the Administration nor County of Maui have articulated a temporary or permanent housing plan to address the impending cliff for non-congregate sheltering on June 30, 2024.

The State’s financial commitment to wildfire recovery has been substantial in both services and supports that may be reimbursable by FEMA. However, your Committee finds that the constitutional responsibility and power to appropriate funds and adopt a balanced budget rests solely with the Legislature. As such, your Committee remains resolute in providing for wildfire survivors and maintaining core services and operations statewide in areas like public education, healthcare, and protecting our natural resources.

PART IV. COUNCIL ON REVENUES

Your Committee acknowledges that the Council on Revenues increased the general fund forecast for FY24 and FY25 in the January and March meetings, respectively.

The Council on Revenues increased the estimated growth in revenues for FY24 from 1.30 percent in the September 11, 2024, meeting to four percent in the January 10, 2024, meeting. The revised forecast means an increase in revenues by \$248,405,000 from \$9,319,912,000 to \$9,568,317,000. The Council on Revenues’ forecast revision was attributed to robust general fund collections in the first half of FY24 and a faster-than expected recovery in tourism and the labor market from the Maui wildfires.

The Council on Revenues increased the estimated growth in revenues for FY25 from 4.75 percent in the January 11, 2024, meeting to 4.80 percent in the March 12, 2024, meeting. The revised forecast means an increase in general fund revenues by \$4,784,000 from \$10,022,812,000 to \$10,027,596,000.

The forecasts for the state general fund tax revenues for FY24 through FY30 are shown in the table below:

General Fund Tax Revenues

Fiscal Year	September 11, 2023		January 10, 2024		March 12, 2024	
	Amount (in Thousands of Dollars)	Growth From Previous Year	Amount (in Thousands of Dollars)	Growth From Previous Year	Amount (in Thousands of Dollars)	Growth From Previous Year
2024	\$9,319,912	1.30%	\$9,568,317	4.00%	\$9,568,317	4.00%
2025	\$9,804,547	5.20%	\$10,022,812	4.75%	\$10,027,596	4.80%
2026	\$10,147,706	3.50%	\$10,473,839	4.50%	\$10,478,838	4.50%
2027	\$10,502,876	3.50%	\$10,892,793	4.00%	\$10,897,992	4.00%
2028	\$10,870,477	3.50%	\$11,274,041	3.50%	\$11,279,422	3.50%
2029	\$11,250,944	3.50%	\$11,668,632	3.50%	\$11,674,202	3.50%
2030	\$11,644,727	3.50%	\$12,077,034	3.50%	\$12,082,799	3.50%

Your Committee finds that despite the increased general fund forecast by the Council on Revenues for FB25, fiscal restraint is imperative to ensure budget reserves that preserve the State’s bond rating and address the federal fund “cliffs” once the FEMA mission ends. Your Committee has identified the following unfunded liabilities that must be considered when exercising our constitutional mandate to adopt a balanced budget:

- (1) Funds for the continued Maui recovery and response efforts, totaling an estimated \$362,000,000 in FY24; and
- (2) Funds for the Temporary Hazard Pay (THP) settlement with the Hawaii Government Employees Association (HGEA), totaling an estimated \$299,700,000 in FY25.

PART V. PRIORITIES OF THE SENATE

The Senate’s approach to balancing the budget entails considering the Council on Revenues’ general fund forecast and the unfunded liabilities associated with the Maui wildfire recovery and response efforts and Temporary Hazard Pay settlements. Your Committee has worked diligently to create a responsible financial plan and budget that continues to fund critical services and programs, including the following areas identified by the Senate Majority prior to the start of the 2024 Regular Session:

- (1) Emergency Preparedness, Recovery and Resilience;
- (2) Workforce Development and Education;
- (3) Economic Development and Infrastructure;
- (4) Agriculture, Environment, and Natural Resource Management; and
- (5) Housing and Homelessness.

Your Committee has deployed a number of strategies that will not only provide immediate cost savings but help effectuate legislative policies and increase long-term efficiencies. These strategies include:

- (1) Reducing positions that have been vacant for more than four years and positions that have been recommended to be abolished by the Department of Human Resources Development (DHRD), pursuant to Act 57, SLH 2019;
- (2) Trading-off funds to appropriate funds for building and land lease rent on a non-recurring basis to help minimize leased office spaces pursuant to section 40-14, HRS, and to better align with telework policies;
- (3) Adding salaries for vacant and new positions with a six-month delay in hiring; and
- (4) Adding funds for utilities, including for electricity, on a non-recurring basis to facilitate progress toward our energy goals pursuant to section 269-92, HRS.

Your Committee appreciates DHRD's work in recommending vacant positions to abolish, pursuant to Act 57, SLH 2019. In recommending vacant positions to abolish, each Executive Branch department provided a list of their vacant civil service positions that have remained vacant for more than four years to DHRD. As of November 1, 2023, DHRD's report stated that four hundred twenty civil service positions have been vacant for four years or more. After viewing the justifications from each department as to the reason for these prolonged vacancies, as well as the current recruitment status, DHRD recommended one hundred fifteen vacant civil service positions for abolishment. Altogether, your Committee recommends reducing over five hundred full-time equivalent positions and over \$30,000,000 for all means of financing, including a reduction of over two hundred full-time equivalent positions and \$15,000,000 for general funds. To ensure that DHRD has proper time to recruit and vet candidates, your Committee also recommends appropriating salaries for new and vacant positions with a six-month delay in hiring.

Your Committee finds that the COVID-19 pandemic has expedited transitions to teleworking. According to DHRD's telework policy guidelines, one of the objectives of the telework program is to reduce office space requirements. This policy aligns with section 40-14, HRS, which requires the State as of July 1, 2021, to reduce the total square footage of space leased by the State by ten percent no later than July 1, 2026. Your Committee has identified over three-thousand full-time equivalent positions in Table 22 of the Budget Informational Briefing documents collected from each department prior to the legislative session that have been authorized to work remotely outside of the dedicated central work site. Pursuant to DHRD's statewide telework policy and section 40-14, HRS, the Senate Draft trades-off funds to appropriate funds for building and land lease rent on a non-recurring basis. In total, your Committee has identified a total of over \$25,000,000 budgeted for rental of buildings and/or land for all means of financing, including \$10,000,000 in general funds.

PART VI. OPERATING BUDGET HIGHLIGHTS FROM HOUSE BILL NO. 1800, SENATE DRAFT 1

Department of Agriculture (AGR)

The Senate Draft of the executive budget for the Department of Agriculture makes general funds appropriations of \$21,606,726 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$31,624,054 in fiscal year 2025. Highlights for the Department of Agriculture include:

1. Increase the Animal Quarantine Special Fund ceiling by \$733,076 for IT improvements to the Animal Integration System;
2. Add \$1,000,000 for the Farm to Food Bank Program;
3. Add \$1,000,000 for the DaBux Program;
4. Increase the trust fund ceiling by \$93,434 for a Grant Writer position salary; and
5. Add \$52,500 as non-recurring for critical software upgrades.

Department of Accounting and General Services (AGS)

The Senate Draft of the executive budget for the Department of Accounting and General Services makes general funds appropriations of \$156,188,882 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$77,488,955 in fiscal year 2025. Highlights for the Department of Accounting and General Services include:

1. Add \$2,500,000 for Microsoft G5 licenses;
2. Add \$1,650,000 to replace the State's Financial System;
3. Add \$400,000 for menstrual products and dispensers for restrooms in public State buildings;
4. Add \$1,000,000 as non-recurring for increase in electricity cost;
5. Add \$470,000 for telecommunications radio site leases, maintenance, and operations; and
6. Add \$17,000,000 for State Risk Management Revolving Fund to address insurance claims.

Department of the Attorney General (ATG)

The Senate Draft of the executive budget for the Department of Attorney General makes general funds appropriations of \$48,657,648 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$72,611,613 in fiscal year 2025. Highlights for the Department of the Attorney General include:

1. Add \$2,456,750 for Career Criminal and Victim Witness Assistance Programs;
2. Add 4.0 positions and \$462,134 for the Hawai'i Correctional System Oversight Commission;
3. Add 4.0 positions and \$169,105 for the Civil Recoveries Division; and
4. Add \$266,648 for the Criminal Justice Division.

Department of Business, Economic Development, and Tourism (BED)

The Senate Draft of the executive budget for the Department of Business, Economic Development, and Tourism makes general funds appropriations of \$314,924,788 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$250,990,367 in fiscal year 2025. Highlights for the Department of Business, Economic Development, and Tourism include:

1. Add 30.0 positions and \$63,000,000 for the Hawai'i Tourism Authority;
2. Increase Convention Center Special Fund ceiling by \$45,000,000 as non-recurring for deferred maintenance;
3. Increase Aloha Stadium Special Fund ceiling by \$49,500,000 as non-recurring for operations and development;
4. Add 2.0 positions and \$230,230 for property and water system management on Kaua'i; and
5. Increase Creative Industries Special Fund ceiling by \$475,000 for State-County Memorandum of Agreements.

Department of Budget and Finance (BUF)

The Senate Draft of the executive budget for the Department of Budget and Finance makes general funds appropriations of \$3,746,882,057 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$521,710,124 in fiscal year 2025. Highlights for the Department of Budget and Finance include:

1. Increase the Unclaimed Property Trust Fund ceiling by \$4,000,000 for disbursement of payments;
2. Add \$13,356,628 for broadband to match federal funds; and
3. Add \$126,000 as non-recurring for the procurement of a case management software for the office of the public defender.

Department of Commerce and Consumer Affairs (CCA)

The Senate Draft of the executive budget for the Department of Commerce and Consumer Affairs makes non-general fund appropriations of \$116,482,369 in fiscal year 2025. Highlights for the Department of Commerce and Consumer Affairs include:

1. Increase special fund ceiling by \$1,175,000 for increase in operating costs;
2. Increase special fund ceiling by \$2,500,000 as non-recurring for website redesign and call center; and
3. Increase special fund ceiling by \$550,000 as non-recurring for cloud migration and data center closure.

Department of Defense (DEF)

The Senate Draft of the executive budget for the Department of Defense makes general funds appropriations of \$40,218,126 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$98,206,207 in fiscal year 2025. Highlights for the Department of Defense include:

1. Add \$6,919,624 for Hazard Mitigation and \$24,700,000 in to match federal funds;
2. Add \$1,430,900 as non-recurring for utilities cost at Joint Base Pearl Harbor-Hickam, Kaua'i, and Kalaeloa;
3. Add \$497,000 as non-recurring for utilities at Hawai'i Army National Guard facilities statewide;
4. Add \$139,909 for State Warning Point and sirens; and
5. Add \$7,000 as non-recurring for utilities at Starbase.

Department of Education (EDN)

The Senate Draft of the executive budget for the Department of Education makes general funds appropriations of \$2,395,785,069 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$407,776,641 in fiscal year 2025. Highlights for the Department of Education include:

1. Add \$12,931,380 as non-recurring for the Weighted Student Formula to support English learners;
2. Add \$413,915 as non-recurring for AP exam and course subsidies;
3. Add \$3,600,000 to provide work-based learning for students with severe disabilities;
4. Add \$20,990,000 as non-recurring for summer learning hubs;
5. Add \$18,266,346 for bus contracts;

6. Add \$10,000,000 for workers' compensation;
7. Add \$14,925,959 for collective bargaining for vice principals and educational assistants;
8. Add \$2,500,000 for career and technical education teacher differentials; and
9. Add \$1,700,000 to enhance the Department's mobile platforms that provide student mental health support.

Office of the Governor (GOV)

The Senate Draft of the executive budget for the Office of the Governor makes general funds appropriations of \$5,249,958 in fiscal year 2025. The Senate Draft reduces 2.0 vacant positions and \$176,816.

Department of Hawaiian Home Lands (HHL)

The Senate Draft of the executive budget for the Department of Hawaiian Home Lands makes general funds appropriations of \$26,350,840 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$39,691,974 in fiscal year 2025. Lastly, the Senate Draft increases the federal fund ceiling by \$808,204 for 6.0 Temporary Native American Housing Assistance and Self-Determination Act (NAHASDA) positions.

Department of Human Services (HMS)

The Senate Draft of the executive budget for the Department of Human Services makes general funds appropriations of \$1,494,419,926 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$2,947,365,361 in fiscal year 2025. Highlights for the Department of Human Services include:

1. Add a total of \$213,979,324 in non-general funded ceiling increases for federally mandated services;
2. Add \$15,525,000 for Home and Community Based Service contract increases;
3. Add \$1,320,000 for a five percent increase to Homeless Programs Office contracts;
4. Add \$1,000,000 for youth mental health services;
5. Add \$543,677 for maintenance and operation of the Benefits Eligibility Solution System;
6. Add \$1,500,000 as non-recurring for the State Rent Supplement Program; and
7. Add 2.0 positions and \$252,360 to put the Deputy Director and Private Secretary into base budget.

Department of Human Resources Development (HRD)

The Senate Draft of the executive budget for the Department of Human Resources Development makes general funds appropriations of \$27,432,039 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$5,877,980 in fiscal year 2025. Highlights for the Department of Human Resources Development include:

1. Add 7.0 positions and \$872,112 to expedite the hiring process and increase recruitment efforts;
2. Add 1.0 position and \$35,508 for the employee benefits and telework programs;
3. Add \$20,000 for employee training; and
4. Transfer 1.0 position and \$260,352 in FY24; and 1.0 position and \$262,116 in FY25 for workers' compensation services for the Hawai'i State Public Library System.

Department of Health (HTH)

The Senate Draft of the executive budget for the Department of Health makes general funds appropriations of \$847,844,203 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$1,331,222,577 in fiscal year 2025. Highlights for the Department of Health include:

1. Add \$29,000,000 for emergency aeromedical services;
2. Add \$14,800,000 as non-recurring for bed contracts for the Hawai'i State Hospital;
3. Add \$13,000,000 as non-recurring for Locum Tenens contracts at the Hawai'i State Hospital;
4. Add \$10,800,000 for Child and Adolescent Mental Health contracts;
5. Add \$8,880,000 for new and existing Group Home contracts;
6. Add \$6,657,400 for the 'Iwilei Behavioral Health Crisis Center and supportive housing services;
7. Add \$4,962,487 for early intervention services;
8. Add 10.0 Forensic Psychologists and \$971,119 for court evaluations for Hawai'i State Hospital admissions and referrals; and
9. Add 1.0 Plumber position, 1.0 General Laborer position, and \$61,278 for Kalaupapa Settlement.

Department of Law Enforcement (LAW)

The Senate Draft of the executive budget for the Department of Law Enforcement makes general funds appropriations of \$47,789,505 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$43,542,923 in fiscal year 2025. Highlights for the Department of Law Enforcement include:

1. Add 50.0 positions and \$6,567,591 to increase law enforcement at airports and harbors;
2. Add \$2,600,000 to continue security guard services and security camera monitoring within the State Capitol District;
3. Add \$1,500,000 for the Law Enforcement Training Center;
4. Add \$1,265,600 to continue the Illegal Firework Task Force; and
5. Add \$825,000 as non-recurring for the Gun Buyback Program.

Department of Labor and Industrial Relations (LBR)

The Senate Draft of the executive budget for the Department of Land and Natural Resources makes general funds appropriations of \$37,182,823 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$426,067,923 in fiscal year 2025. Highlights for the Department of Labor and Industrial Relations include:

1. Add \$10,000,000 for Grants-in-Aid pursuant to Chapter 42F, HRS;
2. Increase revolving fund ceiling by \$51,914 to provide pay equity for 3.0 Boiler Inspectors;
3. Increase federal fund ceiling by \$2,200,000 for Unemployment Insurance;
4. Increase special fund ceiling by \$300,000 for Labor Law Enforcement Special Fund; and
5. Increase federal fund ceiling by \$200,000 for veteran career counseling.

Department of Land and Natural Resources (LNR)

The Senate Draft of the executive budget for the Department of Land and Natural Resources makes general funds appropriations of \$115,653,464 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$222,245,131 in fiscal year 2025. Highlights for the Department of Land and Natural Resources include:

1. Add \$5,500,000 as non-recurring to improve forest and resource management for wildlife and invasive species;
2. Increase State Parks Special Fund ceiling by \$2,000,000 as non-recurring for equipment and motor vehicles;
3. Increase State Parks Special Fund ceiling by \$10,000,000 for repair and maintenance activities at state parks statewide;
4. Add 7.0 positions and \$484,448 for DLNR HR recruitment and retention; and
5. Increase Sport Fish Special Fund ceiling by \$800,000 for administrative costs.

Office of the Lieutenant Governor (LTG)

The Senate Draft of the executive budget for the Office of the Lieutenant Governor makes general funds appropriations of \$2,365,231 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$300,000 in fiscal year 2025. Your Committee proposes no changes to the budget for the Office of the Lieutenant Governor.

Department of Corrections and Rehabilitation (PSD)

The Senate Draft of the executive budget for the Department of Corrections and Rehabilitation makes general funds appropriations of \$303,095,682 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$15,334,137 in fiscal year 2025. Highlights for the Department of Corrections and Rehabilitation include:

1. Add \$50,000 to establish a Foster Pet Program; and
2. Add \$434,864 as non-recurring for utilities across various facilities.

Department of Taxation (TAX)

The Senate Draft of the executive budget for the Department of Taxation makes general funds appropriations of \$38,881,763 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$3,627,620 in fiscal year 2025. Highlights for the Department of Taxation include:

1. Add 1.0 Senior Software Developer position and \$63,096;
2. Add \$98,000 for security equipment and vehicle contracts; and
3. Add \$11,800 for the Multi-Factor Authentication System.

Department of Transportation (TRN)

The Senate Draft of the executive budget for the Department of Transportation makes general funds appropriations of \$5,000,000 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$1,457,256,517 in fiscal year 2025. Highlights for the Department of Transportation include:

1. Add \$5,000,000 as non-recurring for the Stored Property and Debris Removal Program;
2. Increase the DOT Airports Division's special fund ceiling by \$10,000,000 as non-recurring to renovate airport terminals;
3. Increase the DOT Highways Division's special fund ceiling by \$3,000,000 for roadside safety maintenance; and
4. Increase the DOT Highways Division's special fund ceiling by \$1,250,000 as non-recurring for Google safety analytics.

University of Hawaii (UOH)

The Senate Draft of the executive budget for the University of Hawaii makes general funds appropriations of \$645,818,805 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$707,618,291 in fiscal year 2025. Highlights for the University of Hawaii include:

1. Add \$17,526,848 as non-recurring to restore funds to pre-pandemic levels;
2. Add 5.0 positions and \$506,555 for CTAHR Extension Agents;
3. Add 6.5 positions and \$1,068,821 for a nursing collaboration between UH Mānoa and UH West O‘ahu;
4. Add 4.0 positions and \$925,000 for enhancement of the neighbor island health access and pathway program;
5. Add 4.0 positions and \$1,208,020 for increased campus safety; and
6. Add \$3,700,000 as non-recurring for the Promise Program at UH Community Colleges.

PART VII. CAPITAL IMPROVEMENTS PROGRAM BUDGET

The Governor proposed a state capital improvement budget to the Legislature with the following totals:

Governor	FY24	FY25
General Funds	\$384,265,000	\$148,677,000
General Obligation Bond Funds	\$887,237,000	\$1,229,093,000
All Means of Financing	\$2,933,046,000	\$4,196,220,000

Your Committee has further amended this measure and proposes a capital improvement budget with the following totals:

Senate Draft	FY24	FY25
General Funds	\$374,265,000	\$443,248,000
General Obligation Bond Funds	\$879,737,000	\$1,032,960,000
All Means of Financing	\$2,905,646,000	\$4,285,608,000

PART VIII. 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. 1800, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1800, 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. 3420 Ways and Means on H.B. No. 1911

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, Hawaii State Bar Association, and one individual.

Your Committee finds that the appropriations made by this measure will assist the Judiciary in its efforts to fulfill its constitutional, statutory, and public service duties for the remainder of the 2023-2025 fiscal biennium.

OPERATING BUDGET

The Judiciary requested the following funds for fiscal biennium 2023-2025 operating expenses:

Judiciary	FY 2024	FY 2025
General Funds	\$185,148,711	\$192,254,156
All Means of Financing	\$197,865,224	\$205,099,909

Your Committee has amended this budget to appropriate the following funds for operating expenses:

Senate	FY 2024	FY 2025
General Funds	\$185,148,711	\$192,140,976
All Means of Financing	\$197,865,224	\$204,918,173

CAPITAL IMPROVEMENT PROJECT BUDGET

The Judiciary requested the following funds for fiscal biennium 2023-2025 capital improvement project expenses:

Judiciary	FY 2024	FY 2025
General Funds	\$3,000,000	\$3,000,000
General Obligation Bond Funds	\$17,995,000	\$14,000,000
All Means of Financing	\$20,995,000	\$17,000,000

Your Committee has amended this budget to appropriate the following funds for capital improvement project expenses:

Senate	FY 2024	FY 2025
General Funds	\$3,000,000	\$3,000,000
General Obligation Bond Funds	\$17,995,000	\$14,000,000
All Means of Financing	\$20,995,000	\$17,000,000

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1911, 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. 1911, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, none.

SCRep. 3421 Ways and Means on H.B. No. 2610

The purpose and intent of this measure is to provide disaster relief in the aftermath of the August 2023 Maui wildfires.

Specifically, this measure:

- (1) Establishes a disaster relief match special fund to support the local match requirements of the Federal Emergency Management Agency Maui wildfires hazard mitigation grant program; and
- (2) Appropriates moneys into the disaster relief match special fund.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed Senate Draft 2, which amends this measure by inserting as a new part II certain provisions from Senate Bill No. 3068, Senate Draft 1, which is another measure that provides relief from the devastating impacts of the August 2023 Maui wildfires. Specifically, the provisions added to the proposed Senate Draft 2:

- (1) Make appropriations relating to the State's response to the Maui wildfires and statewide wildfire mitigation and response;
- (2) Reauthorize certain general funded capital improvement project operating appropriations as general obligation bond funded appropriations; and
- (3) Authorize the issuance of reimbursable general obligation bonds and appropriation of the bond proceeds for certain capital improvement projects in the county of Maui.

The proposed Senate Draft 2 also amended the provisions inserted from Senate Bill No. 3068, Senate Draft 1, by amending certain means of financing to provide for the appropriation of certain federal funds rather than state general funds.

Your Committee received testimony in support of the proposed Senate Draft 2 from the Department of Budget and Finance, Hawaii Housing Finance and Development Corporation, Hawaii Emergency Management Agency, and the chairperson of the Maui County Council.

Your Committee also received testimony in support of the Senate Draft 1 from the Hawaii State Hazard Mitigation Forum; Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu; Maui Chamber of Commerce; and one individual.

Your Committee finds that the disaster relief match special fund will help to ensure that local matching moneys are available to draw down federal moneys offered to the State by the Federal Emergency Management Agency's Maui wildfire hazard mitigation grant program. Your Committee further finds that this funding will help to rebuild the areas affected by the 2023 Maui wildfires in a resilient manner.

Your Committee has amended this measure by adopting the proposed Senate Draft 2 and further amending the measure by:

- (1) Amending the appropriation of general funds for recovery costs for the Maui wildfires disaster by:
 - (A) Requiring the Governor to provide notice to the Legislature no less than fourteen days prior to the date of any transfer of moneys to other state agencies; and
 - (B) Requiring the Auditor to conduct annual audits of contracts procured under the appropriation and submit reports of its findings and recommendations to the Legislature prior to the convening of the Regular Sessions of 2026 and 2027;
- (2) Amending the appropriation of revolving funds to the Hawaii Housing Finance and Development Corporation for fiscal year 2024-2025 from \$14,046,265 to \$16,022,225;

- (3) Clarifying that certain new capital improvement projects authorized by the measure are under the jurisdiction of the Hawaii Housing Finance and Development Corporation; and
- (4) Correcting the amount of reimbursable general obligation bond funds authorized for capital improvement projects for temporary housing, Maui; and modular housing for temporary units, Maui.

As affirmed by the record of votes of the members 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. 2610, 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. 2610, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (Lee, Wakai).

SCRep. 3422 Ways and Means on H.B. No. 679

The purpose and intent of this measure is to amend, from \$300,000,000 to an unspecified amount, the appropriation of general funds to the rental housing revolving fund made by Act 236, Session Laws of Hawaii 2022.

Prior to the hearing on this measure, your Committee made available for public review a proposed S.D. 2 of this measure. The proposed S.D. 2:

- (1) Removes language amending Act 236, Session Laws of Hawaii 2022;
- (2) Appropriates \$297,000,000 for noncongregate housing and other costs for individuals affected by the August 8, 2023 wildfires;
- (3) Appropriates \$65,000,000 to the One Ohana Bank Trust Account for the State's contribution of the compromise and settlement of claims relating to the 2023 Maui wildfires;
- (4) Amends Act 164, Session Laws of Hawaii 2023, by changing the appropriation of \$230,000,000 in general funds to the Hawaii Housing Finance and Development Corporation to \$230,000,000 in general obligation bond funds;
- (5) Authorizes the Director of Finance to transfer the excess balance of various non-general funds to the general fund; and
- (6) Repeals language in Act 247, Session Laws of Hawaii 2022, that authorizes the Director of Finance to issue \$300,000,000 in general obligation bonds for the Other Post-Employment Benefits Trust Fund.

Your Committee received written comments in support of this measure from the Office of the Governor and the Hawaii Housing Finance and Development Corporation.

Your Committee received written comments in opposition to this measure from the Hawaii Technology Development Corporation.

Your Committee received written comments on this measure from the Department of Budget and Finance, Department of the Attorney General, Hawaii Department of Agriculture, Department of Land and Natural Resources, Department of Human Services, and Hawaii Tourism Authority.

Your Committee finds that due to the size and scope of the Maui wildfires disaster, recovery efforts are expected to exceed the limit on the amount that may be expended from the Major Disaster Fund, which is \$10,000,000 per emergency or disaster. Accordingly, your Committee believes that allowing all federal reimbursements to the fund to be expended will help to ensure that those moneys may be expended as necessary for disaster relief.

Your Committee has amended this measure by adopting the proposed S.D. 2 and further amending it by:

- (1) Amending the requirements related to the appropriation for noncongregate housing and other costs for individuals affected by the August 8, 2023 Maui wildfires, as follows:
 - (A) Advancing the lapse date of the appropriation from June 30, 2026, to June 30, 2024;
 - (B) Adding a requirement for the Auditor to conduct an audit on each contract funded by the appropriation; and
 - (C) Requiring that the Governor provide notice and a report to the Legislature regarding any transfer of the appropriated funds to the Major Disaster Fund;
- (2) Requiring that upon closure of the One Ohana Bank Trust Account, the remaining balance after the settlement of all administrative costs shall be returned to the contributors in proportion to their contributions;
- (3) Inserting, as a new part, temporary amendments to statutory provisions relating to the Major Disaster Fund to allow federal reimbursements to be deposited into the Major Disaster Fund and later expended without regard to the expenditure cap of the Fund;
- (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, consistency, and style.

As affirmed by the record of votes of the members 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. 679, 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. 679, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (Lee, Wakai).

SCRep. 3423 Health and Human Services on S.C.R. No. 65

The purpose and intent of this measure is to urge the Department of Health to convene and lead an informal working group to discuss:

- (1) The management of clean and sober homes; and
- (2) Possible collaboration with the counties and other affected regulators to ensure that clean and sober homes comply with county regulations, and encourage registration without using restrictions that are discriminatory.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Substance Abuse Coalition, and two individuals.

Your Committee finds that Act 193, Session Laws of Hawaii 2014, required the Department of Health to establish a Clean and Sober Homes Registry to assist persons recovering from substance abuse to have a safe, clean, and sober environment that supports their recovery. Your Committee further finds that a report submitted by a Clean and Sober Homes and Halfway Houses Workgroup that had been formed in 2012, comprising representatives from various state and county agencies and stakeholders, was instrumental in the adoption of the current voluntary clean and sober homes registry. Over ten years later, your Committee finds that while most clean and sober homes on the voluntary registry are well-run, some homes that are not on the registry violate their county land use laws by overcrowding, resulting in noise and parking complaints from their neighbors. This measure will allow the State and counties to collaborate once again to improve the current registry and support systems to ensure that all homes are in compliance with applicable laws and regulations, while balancing the needs of those requiring the support of these homes and the concerns of the community.

Your Committee notes the request in testimony that the informal working group discuss not only matters pertaining to clean and sober homes, but all types of group living facilities.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that urges the Department of Health to convene and lead an informal working group to discuss:
 - (A) The management of all group living facilities as described in section 46-4(d), Hawaii Revised Statutes, including clean and sober homes, rather than just clean and sober homes; and
 - (B) Possible collaboration with the counties and other affected regulators to ensure that all group living facilities as described in section 46-4(d), Hawaii Revised Statutes, rather than just clean and sober homes, comply with county regulations, and encourage registration without using restrictions that are discriminatory;
- (2) Amending its title to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 65, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 65, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3424 Health and Human Services on S.R. No. 53

The purpose and intent of this measure is to urge the Department of Health to convene and lead an informal working group to discuss:

- (1) The management of clean and sober homes; and
- (2) Possible collaboration with the counties and other affected regulators to ensure that clean and sober homes comply with county regulations, and encourage registration without using restrictions that are discriminatory.

Your Committee received testimony in support of this measure from the Hawaii Substance Abuse Coalition.

Your Committee finds that Act 193, Session Laws of Hawaii 2014, required the Department of Health to establish a Clean and Sober Homes Registry to assist persons recovering from substance abuse to have a safe, clean, and sober environment that supports their recovery. Your Committee further finds that a report submitted by a Clean and Sober Homes and Halfway Houses Workgroup that had been formed in 2012, comprising representatives from various state and county agencies and stakeholders, was instrumental in the adoption of the current voluntary clean and sober homes registry. Over ten years later, your Committee finds that while most clean and sober homes on the voluntary registry are well-run, some homes that are not on the registry violate their county land use laws by overcrowding, resulting in noise and parking complaints from their neighbors. This measure will allow the State and counties to collaborate once again to improve the current registry and support systems to ensure that all homes are in compliance with applicable laws and regulations, while balancing the needs of those requiring the support of these homes and the concerns of the community.

Your Committee notes the request in testimony that the informal working group discuss not only matters pertaining to clean and sober homes, but all types of group living facilities.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that urges the Department of Health to convene and lead an informal working group to discuss:
 - (A) The management of all group living facilities as described in section 46-4(d), Hawaii Revised Statutes, including clean and sober homes, rather than just clean and sober homes; and

- (B) Possible collaboration with the counties and other affected regulators to ensure that all group living facilities as described in section 46-4(d), Hawaii Revised Statutes, rather than just clean and sober homes, comply with county regulations, and encourage registration without using restrictions that are discriminatory;
- (2) Amending its title to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 53, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 53, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3425 Health and Human Services on S.C.R. No. 64

The purpose and intent of this measure is to urge the State and counties to prioritize and direct all available resources to support a coordinated interagency collaboration and public-private partnerships aimed at addressing the ongoing fentanyl epidemic.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation, Department of Health, County of Kaua'i Housing Agency, Mayor of the County of Hawai'i, Kumukahi Health + Wellness, Hawai'i Island Fentanyl Task Force, Hawaii Health & Harm Reduction Center, North Hawaii Community Action Network, and twenty-one individuals.

Your Committee finds that the State is experiencing an increased number of drug overdose deaths and the majority of those overdose deaths are from opioid prescription pain medications, heroin, and illicitly manufactured non-medical fentanyl. Illicitly manufactured non-medical fentanyl is commonly mixed into known street drugs, including cannabis, and pressed into fake look-alike pills, including fake oxytocin, Adderall, Xanax, and others. Your Committee recognizes that fentanyl is up to fifty percent stronger than heroin and one hundred times stronger than morphine, and according to the United States Drug Enforcement Administration, a single two milligram dose can be lethal. Combating the use of illicit drugs requires a multifactorial, coordinated interagency collaboration and public-private partnerships are also necessary to address the epidemic through various approaches, including education and prevention, screening and intervention, drug treatment and recovery services, and increased drug interdiction and law enforcement efforts. Your Committee notes the success of the Hawai'i Island Fentanyl Task Force, which was formed with the mission to reduce the demand and supply of illicit drugs in all age groups through a coordinated interagency approach. Accordingly, in recognition of the accomplishments of the Hawai'i Island Fentanyl Task Force, this measure urges interagency collaboration and public-private partnerships between the State, counties, and other stakeholders to effectively address the fentanyl crisis statewide.

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. 64 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3426 Health and Human Services on S.R. No. 52

The purpose and intent of this measure is to urge the State and counties to prioritize and direct all available resources to support a coordinated interagency collaboration and public-private partnerships aimed at addressing the ongoing fentanyl epidemic.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation, County of Kaua'i Housing Agency, Mayor of the County of Hawai'i, Kumukahi Health + Wellness, Hawai'i Island Fentanyl Task Force, Hawai'i Health & Harm Reduction Center, North Hawaii Community Action Network, and twenty-one individuals.

Your Committee finds that the State is experiencing an increased number of drug overdose deaths and the majority of those overdose deaths are from opioid prescription pain medications, heroin, and illicitly manufactured non-medical fentanyl. Illicitly manufactured non-medical fentanyl is commonly mixed into known street drugs, including cannabis, and pressed into fake look-alike pills, including fake oxytocin, Adderall, Xanax, and others. Your Committee recognizes that fentanyl is up to fifty percent stronger than heroin and one hundred times stronger than morphine, and according to the United States Drug Enforcement Administration, a single two milligram dose can be lethal. Combating the use of illicit drugs requires a multifactorial, coordinated interagency collaboration and public-private partnerships are also necessary to address the epidemic through various approaches, including education and prevention, screening and intervention, drug treatment and recovery services, and increased drug interdiction and law enforcement efforts. Your Committee notes the success of the Hawai'i Island Fentanyl Task Force, which was formed with the mission to reduce the demand and supply of illicit drugs in all age groups through a coordinated interagency approach. Accordingly, in recognition of the accomplishments of the Hawai'i Island Fentanyl Task Force, this measure urges interagency collaboration and public-private partnerships between the State, counties, and other stakeholders to effectively address the fentanyl crisis statewide.

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. 52 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3427 Health and Human Services on S.C.R. No. 34

The purpose and intent of this measure is to request the Hawaii Medical Association and Hawaii Psychiatric Medical Association to convene a roundtable to establish medical protocols to ensure that an individual's thyroid function is tested before any psychotropic medications for mental health illness are prescribed.

Your Committee received testimony in support of this measure from the Hawaii Disability Rights Center and three individuals.

Your Committee finds that doctors and others who have prescriptive authority often appropriately prescribe psychotropic medications to treat mental illness. However, sometimes untreated thyroid conditions can also result in exhibiting symptoms similar to mental illness. Some individuals have been prescribed psychotropic medications without first testing for the presence of a thyroid condition, and for those individuals who did have a thyroid condition, the psychotropic medications the individuals received were either ineffective or potentially harmful. Your Committee additionally finds that testing for abnormal thyroid levels is a simple process that can be done through a blood test. Accordingly, this measure promotes best practices to ensure root causes are addressed through proper testing and to educate providers to improve access to care.

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. 34 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3428 Agriculture and Environment on S.C.R. No. 29

The purpose and intent of this measure is to urge the Department of Agriculture to:

- (1) Support efforts to improve the Aquaculture Development Program Strategic Plan (Strategic Plan); and
- (2) Adopt the recommendations made by Hatch Innovation Services in its February 2024 report regarding the Strategic Plan.

Your Committee received testimony in support of this measure from the Department of Agriculture, Malama Makua, and five individuals.

Your Committee finds that although the State's aquaculture sector is already well-established, more investment and resources are necessary to strengthen and build the capacity for this growing industry. This measure supports efforts to achieve the dual goals of increasing aquaculture food production and supporting initiatives for restorative aquaculture, thereby increasing the economic resilience and food sustainability 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 concurs with the intent and purpose of S.C.R. No. 29 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3429 Agriculture and Environment on S.R. No. 19

The purpose and intent of this measure is to urge the Department of Agriculture to:

- (1) Support efforts to improve the Aquaculture Development Program Strategic Plan (Strategic Plan); and
- (2) Adopt the recommendations made by Hatch Innovation Services in its February 2024 report regarding the Strategic Plan.

Your Committee received testimony in support of this measure from the Department of Agriculture and four individuals.

Your Committee finds that although the State's aquaculture sector is already well-established, more investment and resources are necessary to strengthen and build the capacity for this growing industry. This measure supports efforts to achieve the dual goals of increasing aquaculture food production and supporting initiatives for restorative aquaculture, thereby increasing the economic resilience and food sustainability 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 concurs with the intent and purpose of S.R. No. 19 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3430 (Majority) Agriculture and Environment on S.C.R. No. 101

The purpose and intent of this measure is to urge a transition to a plant-based lifestyle.

Your Committee received testimony in support of this measure from the Vegan Society of Hawaii, Inc.; Hawai'i Reef and Ocean Coalition; Climate Protectors Hawai'i; Citizens' Climate Lobby Hawaii; Building Decarbonization Task Force of the Hawai'i Environmental Change Agents; Kauai Climate Action Coalition; Green Party of Hawai'i, Down to Earth; Hawaii Food & Policy and eleven individuals.

Your Committee received comments on this measure from the Department of Agriculture and Hawaii Cattlemen's Council, Inc.

Your Committee finds that a plant-based lifestyle fosters a holistic approach to environmental stewardship, cultural preservation, and community well-being. Your Committee recognizes that Hawaii's tropical climate, with a year-round growing season, is well-suited to support plant-based lifestyles. This measure urges the transition to a plant-based lifestyle as it can have an enormous positive impact on reducing the effects of climate change.

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. 101 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 2. Noes, 1 (DeCoite). Excused, 2 (Richards, Awa).

SCRep. 3431 (Majority) Agriculture and Environment on S.R. No. 83

The purpose and intent of this measure is to urge a transition to a plant-based lifestyle.

Your Committee received testimony in support of this measure from the Building Decarbonization Task Force of the Hawai'i Environmental Change Agents, Kauai Climate Action Committee, Hawai'i Reef and Ocean Coalition, Climate Protectors Hawai'i, Citizens' Climate Lobby Hawaii, Down to Earth, and seven individuals.

Your Committee received comments on this measure from the Department of Health and Hawaii Cattlemen's Council, Inc.

Your Committee finds that a plant-based lifestyle fosters a holistic approach to environmental stewardship, cultural preservation, and community well-being. Your Committee recognizes that Hawaii's tropical climate, with a year-round growing season, is well-suited to support plant-based lifestyles. This measure urges the transition to a plant-based lifestyle as it can have an enormous positive impact on reducing the effects of climate change.

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. 83 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 2. Noes, 1 (DeCoite). Excused, 2 (Richards, Awa).

SCRep. 3432 Agriculture and Environment on S.C.R. No. 67

The purpose and intent of this measure is to urge the Legislature to preserve, protect, and restore limu kala to the full extent of its capability.

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 Legislature recognized the critical role of limu kala in Hawaii's nearshore ecosystems and Native Hawaiian history and culture through the passage of Act 230, Session Laws of Hawaii 2023, which designated limu kala as the state limu of Hawaii. However, populations of this endemic species of limu have been severely damaged by the ongoing effects of climate change, development, and runoff. This measure seeks to further support healthy reefs and nearshore ecosystems in the State by urging the protection and restoration of limu kala populations.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 67 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3433 Agriculture and Environment on S.R. No. 55

The purpose and intent of this measure is to urge the Legislature to preserve, protect, and restore limu kala to the full extent of its capability.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that the Legislature recognized the critical role of limu kala in Hawaii's nearshore ecosystems and Native Hawaiian history and culture through the passage of Act 230, Session Laws of Hawaii 2023, which designated limu kala as the state limu of Hawaii. However, populations of this endemic species of limu have been severely damaged by the ongoing effects of climate change, development, and runoff. This measure seeks to further support healthy reefs and nearshore ecosystems in the State by urging the protection and restoration of limu kala populations.

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. 55 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3434 Higher Education on S.C.R. No. 202

The purpose and intent of this measure is to urge the development of a baccalaureate degree program in education with an online option at Leeward Community College to address the educational needs of working adults in all counties.

Your Committee received testimony in support of this measure from the University of Hawai'i System.

Your Committee finds that there is a growing demand for online educational programs to accommodate working adults who aspire to become teachers. While all counties face unique challenges in recruiting and retaining qualified educators, there is a need for more baccalaureate degree programs at the University of Hawaii Community Colleges to expand access to educational opportunities statewide and address the ongoing chronic teacher shortage. Presently, the University of Hawaii Leeward Community College's accreditation allows the college to offer up to two applied baccalaureate degree programs. As teacher education programs at Leeward Community College are already offered statewide through the Internet and include upper division curriculum, expanding access to teacher pathways through new programs can incentivize interested students to enroll. Accordingly, this measure expands access to higher education for prospective teachers while addressing the State's chronic teacher shortage.

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

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 202, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 202, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

SCRep. 3435 Higher Education on S.R. No. 178

The purpose and intent of this measure is to urge the development of a baccalaureate degree program in education with an online option at Leeward Community College to address the educational needs of working adults in all counties.

Your Committee received testimony in support of this measure from the University of Hawai'i System and one individual.

Your Committee finds that there is a growing demand for online educational programs to accommodate working adults who aspire to become teachers. While all counties face unique challenges in recruiting and retaining qualified educators, there is a need for more baccalaureate degree programs at the University of Hawaii Community Colleges to expand access to educational opportunities statewide and address the ongoing chronic teacher shortage. Presently, the University of Hawaii Leeward Community College's accreditation allows the college to offer up to two applied baccalaureate degree programs. As teacher education programs at Leeward Community College are already offered statewide through the Internet and include upper division curriculum, expanding access to teacher pathways through new programs can incentivize interested students to enroll. Accordingly, this measure expands access to higher education for prospective teachers while addressing the State's chronic teacher shortage.

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

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 178, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 178, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

SCRep. 3436 Higher Education on S.C.R. No. 143

The purpose and intent of this measure is to urge the Federal Emergency Management Agency to consider utilizing funds for non-congregate housing for infrastructure and development needs for affordable rental housing.

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 requests the University of Hawaii to develop a comprehensive plan to address student housing facility needs at the Manoa campus.

Your Committee received testimony in support of the proposed S.D. 1 from the University of Hawai'i System.

Your Committee finds that there is a shortage of available and affordable housing statewide. Additionally, there is a limited supply of on-campus student housing available for students attending the University of Hawaii, which has placed students into the general rental market, further increasing demand for rental housing. While the University of Hawaii Student Housing Services comprise of twenty-one residential buildings, a majority of the Student Housing Services residences have not undergone any major renovation or improvement since constructed in the 1970s, with the exception for renovations and construction of the Hale Aloha Towers and Frear Hall in 2008-2009. The Student Housing Services business model has historically prioritized affordability, which has now compromised the future financial and economic sustainability of needed major repairs and renovations of the aging facilities. Moreover, the physical condition of certain on-campus facilities have compromised their ability to remain in service.

Your Committee further finds that the Hale Noelani facility is an on-campus Student Housing Services facility comprised of five buildings, originally constructed in 1978 and included over five hundred beds. However, the Hale Noelani buildings were closed and taken out of service in 2018 due to significant deficiencies in the building conditions. Furthermore, the University of Hawaii also operates faculty housing and offers below-market rates to new faculty members, but does not generate sufficient revenue to help offset the construction of additional faculty housing units. Your Committee also finds that the University of Hawaii must seek new repair, maintenance, and development models, to include novel approaches to financing the renovation, improvements, and expansions of its existing on-campus housing inventory for students and faculty members, both through public financing or public-private partnership options. As the Student Housing Services business model does not provide for long-term financial stability, diverse sources of funds should be utilized for student housing facilities as evidenced by the Residences for Innovation and Student Entrepreneurs and residences for graduate students at the former National Marine Fisheries site, which would provide funding necessary to operate and maintain housing programs on campus. Therefore, this measure requests the University of Hawaii to establish a business model that provides a reliable stream of revenue to sustain long-term viability of buildings utilized for student housing operations at the Manoa campus.

Your Committee has amended this measure by:

- (1) Adopting the proposed S.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 Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 143, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 143, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

SCRep. 3437 Higher Education on S.R. No. 172

The purpose and intent of this measure is to urge the Federal Emergency Management Agency to consider utilizing funds for non-congregate housing for infrastructure and development needs for affordable rental housing.

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 requests the University of Hawaii to develop a comprehensive plan to address student housing facility needs at the Manoa campus.

Your Committee received testimony in support of the proposed S.D. 1 from the University of Hawai'i System.

Your Committee finds that there is a shortage of available and affordable housing statewide. Additionally, there is a limited supply of on-campus student housing available for students attending the University of Hawaii, which has placed students into the general rental market, further increasing demand for rental housing. While the University of Hawaii Student Housing Services comprise of twenty-one residential buildings, a majority of the Student Housing Services residences have not undergone any major renovation or improvement since constructed in the 1970s, with the exception for renovations and construction of the Hale Aloha Towers and Frear Hall in 2008-2009. The Student Housing Services business model has historically prioritized affordability, which has now compromised the future financial and economic sustainability of needed major repairs and renovations of the aging facilities. Moreover, the physical condition of certain on-campus facilities have compromised their ability to remain in service.

Your Committee further finds that the Hale Noelani facility is an on-campus Student Housing Services facility comprised of five buildings, originally constructed in 1978 and included over five hundred beds. However, the Hale Noelani buildings were closed and taken out of service in 2018 due to significant deficiencies in the building conditions. Furthermore, the University of Hawaii also operates faculty housing and offers below-market rates to new faculty members, but does not generate sufficient revenue to help offset the construction of additional faculty housing units. Your Committee also finds that the University of Hawaii must seek new repair, maintenance, and development models, to include novel approaches to financing the renovation, improvements, and expansions of its existing on-campus housing inventory for students and faculty members, both through public financing or public-private partnership options. As the Student Housing Services business model does not provide for long-term financial stability, diverse sources of funds should be utilized for student housing facilities as evidenced by the Residences for Innovation and Student Entrepreneurs and residences for graduate students at the former National Marine Fisheries site, which would provide funding necessary to operate and maintain housing programs on campus. Therefore, this measure requests the University of Hawaii to establish a business model that provides a reliable stream of revenue to sustain long-term viability of buildings utilized for student housing operations at the Manoa campus.

Your Committee has amended this measure by:

- (1) Adopting the proposed S.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 Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 172, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 172, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

SCRep. 3438 Agriculture and Environment on S.C.R. No. 132

The purpose and intent of this measure is to request that:

- (1) The Office of the Governor convene a Working Group (Working Group) to proactively plan for the remediation of perfluoroalkyl and polyfluoroalkyl substances (PFAS) contamination throughout the State;
- (2) The Working Group submit a preliminary report of its findings and recommendations to the Legislature before the Regular Session of 2025; and
- (3) The Working Group submit annual reports of its findings and recommendations to the Legislature before each Regular Session thereafter.

Your Committee received testimony in support of this measure from the Honolulu Board of Water Supply, Environmental Caucus of the Democratic Party of Hawai'i, Americans for Democratic Action, Democratic Party of Hawai'i, and two individuals.

Your Committee finds that PFAS and related chemicals remain in the environment for long periods of time and that low levels of exposure to PFAS have been linked to major medical conditions. Your Committee notes that, as of August 2023, twenty-five other states have enforced drinking water standards related to PFAS. The establishment of a long-term working group as proposed by this measure would increase publicly available information, and prepare for future regulation, regarding PFAS and other chemical substances.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 132 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3439 Agriculture and Environment on S.R. No. 114

The purpose and intent of this measure is to request that:

- (1) The Office of the Governor convene a Working Group (Working Group) to proactively plan for the remediation of perfluoroalkyl and polyfluoroalkyl substances (PFAS) contamination throughout the State;
- (2) The Working Group submit a preliminary report of its findings and recommendations to the Legislature before the Regular Session of 2025; and
- (3) The Working Group submit annual reports of its findings and recommendations to the Legislature before each Regular Session thereafter.

Your Committee received testimony in support of this measure from the Honolulu Board of Water Supply, Environmental Caucus of the Democratic Party of Hawai'i, Americans for Democratic Action, Democratic Party of Hawai'i, and two individuals.

Your Committee finds that PFAS and related chemicals remain in the environment for long periods of time and that low levels of exposure to PFAS have been linked to major medical conditions. Your Committee notes that, as of August 2023, twenty-five other states have enforced drinking water standards related to PFAS. The establishment of a long-term working group as proposed by this measure would increase publicly available information, and prepare for future regulation, regarding PFAS and other chemical substances.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 114 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3440 Agriculture and Environment on S.C.R. No. 220

The purpose and intent of this measure is to urge Hawaii's construction industry to:

- (1) Increase the recycling of construction and demolition debris to the greatest extent possible; and
- (2) Expand the usage of recycled construction materials to the greatest extent possible.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i and one individual.

Your Committee finds that many landfills in the State that accept construction and demolition debris are expected to reach maximum capacity within the next decade. Your Committee further finds that the recycling of construction waste and the reuse of recycled construction material diverts and reduces tons of waste to local landfills. The practices urged in this measure are a good first step to help improve solid waste management 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. 220 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3441 Agriculture and Environment on S.R. No. 196

The purpose and intent of this measure is to urge Hawaii's construction industry to:

- (1) Increase the recycling of construction and demolition debris to the greatest extent possible; and
- (2) Expand the usage of recycled construction materials to the greatest extent possible.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i.

Your Committee finds that many landfills in the State that accept construction and demolition debris are expected to reach maximum capacity within the next decade. Your Committee further finds that the recycling of construction waste and the reuse of recycled construction material diverts and reduces tons of waste to local landfills. The practices urged in this measure are a good first step to help improve solid waste management 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. 196 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3442 Agriculture and Environment on S.C.R. No. 105

The purpose and intent of this measure is to request the Hawaii Climate Change Mitigation and Adaptation Commission to:

- (1) Conduct an educational program regarding the activities of individuals that contribute to climate change; and
- (2) Coordinate with the Department of Health in the implementation of the educational program.

Your Committee received testimony in support of this measure from Citizens' Climate Lobby Hawaii and one individual.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that there is misleading information regarding how effective certain actions are at mitigating climate change. Your Committee further finds that this may deceive consumers into believing that they are reducing their carbon footprint more than they actually are. This measure will accurately inform the public on the personal activities, habits, and lifestyle choices that they can make to effectively decrease the rate of global warming.

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. 105 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3443 Agriculture and Environment on S.R. No. 87

The purpose and intent of this measure is to request the Hawaii Climate Change Mitigation and Adaptation Commission to:

- (1) Conduct an educational program regarding the activities of individuals that contribute to climate change; and
- (2) Coordinate with the Department of Health in the implementation of the educational program.

Your Committee received testimony in support of this measure from Citizens' Climate Lobby Hawaii and one individual.

Your Committee finds that there is misleading information regarding how effective certain actions are at mitigating climate change. Your Committee further finds that this may deceive consumers into believing that they are reducing their carbon footprint more than they actually are. This measure will accurately inform the public on the personal activities, habits, and lifestyle choices that they can make to effectively decrease the rate of global warming.

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. 87 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3444 Agriculture and Environment on S.C.R. No. 133

The purpose and intent of this measure is to urge every state agency that monitors environmental toxins and pollutants to:

- (1) Follow certain procedural and substantive requirements for the establishment and modification of environmental action levels (EALs);
- (2) Allow any resident of the State to petition for modifications of one or more EALs or similar triggering mechanisms for environmental toxins and pollutants monitored by the state agency; and
- (3) Promptly respond to a petition to modify an EAL in the manner provided by chapter 91, Hawaii Revised Statutes.

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 received comments on this measure from the Department of Health.

Your Committee finds that the use of environmental action levels (EALs) can be beneficial for monitoring and regulating environmental pollution. However, because there is currently no standardized or formal process for the establishment or amendment for EALs in the State, some state agencies that use EALs have been known to arbitrarily raise, or in some cases lower, an EAL without sufficient public notice or scientific justification. This measure supports the health of the public and the environment by urging the adoption of certain procedural and substantive requirements to provide transparency and accountability for any establishment and revision of EALs 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. 133 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3445 Agriculture and Environment on S.R. No. 115

The purpose and intent of this measure is to urge every state agency that monitors environmental toxins and pollutants to:

- (1) Follow certain procedural and substantive requirements for the establishment and modification of environmental action levels (EALs);
- (2) Allow any resident of the State to petition for modifications of one or more EALs or similar triggering mechanisms for environmental toxins and pollutants monitored by the state agency; and
- (3) Promptly respond to a petition to modify an EAL in the manner provided by chapter 91, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i and one individual.

Your Committee finds that the use of environmental action levels (EALs) can be beneficial for monitoring and regulating environmental pollution. However, because there is currently no standardized or formal process for the establishment or amendment for EALs in the State, some state agencies that use EALs have been known to arbitrarily raise, or in some cases lower, an EAL without sufficient public notice or scientific justification. This measure supports the health of the public and the environment by urging the

adoption of certain procedural and substantive requirements to provide transparency and accountability for any establishment and revision of EALs 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. 115 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3446 (Joint) Agriculture and Environment and Government Operations on S.C.R. No. 152

The purpose and intent of this measure is to request the City and County of Honolulu to collaborate with the State to expand community gardening opportunities for residents.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Farm Bureau, and three individuals.

Your Committees find that, in addition to other health and social benefits, community gardens can produce organic, healthy, and affordable food options, thereby contributing to the State's local food production goals. Your Committees note that there is high demand for community garden spaces among residents of the State. This measure therefore aims to provide solutions to the lack of available supply of community garden spaces on the island of Oahu.

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 concur with the intent and purpose of S.C.R. No. 152 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.
Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).
Government Operations: Ayes, 3. Noes, none. Excused, 2 (Wakai, Awa).

SCRep. 3447 (Joint) Agriculture and Environment and Government Operations on S.R. No. 130

The purpose and intent of this measure is to request the City and County of Honolulu to collaborate with the State to expand community gardening opportunities for residents.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Hawai'i Farm Bureau.

Your Committees find that, in addition to other health and social benefits, community gardens can produce organic, healthy, and affordable food options, thereby contributing to the State's local food production goals. Your Committees note that there is high demand for community garden spaces among residents of the State. This measure therefore aims to provide solutions to the lack of available supply of community garden spaces on the island of Oahu.

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 concur with the intent and purpose of S.R. No. 130 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.
Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).
Government Operations: Ayes, 3. Noes, none. Excused, 2 (Wakai, Awa).

SCRep. 3448 (Joint) Education and Higher Education on S.C.R. No. 98

The purpose and intent of this measure is to request the Department of Education to partner with the Hawaii State Teachers Association and teacher education programs at local universities and colleges to provide pathways for school support personnel to become full-time teachers.

Your Committees received testimony in support of this measure from the Department of Education, Hawaii State Teachers Association, and one individual.

Your Committees find that the State is experiencing a chronic shortage of highly qualified, licensed teachers. In the 2021-2022 school year, the Department of Education experienced a 12.3 percent increase in public school teacher turnover, with nine hundred twenty teachers who resigned and three hundred ten teachers who retired. Additionally, the Department of Education is also experiencing a high rate of turnover of school support staff. While many school support personnel have extensive experience with classroom operations, pedagogy, and instructional delivery, many personnel who enroll in teacher certification programs do not receive course credit for their classroom work and experience. Therefore, this measure supports developing pathways to enable school support personnel to achieve their academic and professional goals while ensuring adequate staffing in Hawaii's public schools.

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 Education and Higher Education 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.
Education: Ayes, 4. Noes, none. Excused, 1 (Richards).
Higher Education: Ayes, 5. Noes, none. Excused, none.

SCRep. 3449 (Joint) Education and Higher Education on S.C.R. No. 144

The purpose and intent of this measure is to urge the Department of Education, University of Hawaii Community Colleges, and Hawaii P-20 Partnerships for Education to develop clear pathways for students in Department of Education career and technical education academies to seamlessly continue their education in career and technical education programs at University of Hawaii Community Colleges.

Your Committees received testimony in support of this measure from the Department of Education, University of Hawai'i System, State Rehabilitation Council, and Hawai'i P-20 Partnerships for Education.

Your Committees find that career and technical education programs play an important role in the State's economy by providing critical training to the State's labor force. Presently, the Department of Education offers students up to thirteen broad continuing and technical education pathways that provide students with vital skills needed to attain skilled, high-wage careers in high-demand occupational fields. The University of Hawaii also offers a wide array of continuing and technical education pathways for community college students. However, despite their mandates to provide career and technical education, the University of Hawaii and Department of Education do not provide a seamless transition for students to continue their education after high school graduation. Therefore, this measure urges the development of matriculation pathways to ensure continuity of academic opportunities for all career and technical education students.

As affirmed by the records of votes of the members of your Committees on Education and Higher Education that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 144 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.
Education: Ayes, 4. Noes, none. Excused, 1 (Richards).
Higher Education: Ayes, 5. Noes, none. Excused, none.

SCRep. 3450 (Joint) Education and Higher Education on S.R. No. 173

The purpose and intent of this measure is to urge the Department of Education, University of Hawaii Community Colleges, and Hawaii P-20 Partnerships for Education to develop clear pathways for students in Department of Education career and technical education academies to seamlessly continue their education in career and technical education programs at University of Hawaii Community Colleges.

Your Committee received testimony in support of this measure from the University of Hawai'i System and one individual.

Your Committees find that career and technical education programs play an important role in the State's economy by providing critical training to the State's labor force. Presently, the Department of Education offers students up to thirteen broad continuing and technical education pathways that provide students with vital skills needed to attain skilled, high-wage careers in high-demand occupational fields. The University of Hawaii also offers a wide array of continuing and technical education pathways for community college students. However, despite their mandates to provide career and technical education, the University of Hawaii and Department of Education do not provide a seamless transition for students to continue their education after high school graduation. Therefore, this measure urges the development of matriculation pathways to ensure continuity of academic opportunities for all career and technical education students.

As affirmed by the records of votes of the members of your Committees on Education and Higher Education that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 173 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.
Education: Ayes, 4. Noes, none. Excused, 1 (Richards).
Higher Education: Ayes, 5. Noes, none. Excused, none.

SCRep. 3451 Labor and Technology on S.C.R. No. 5

The purpose and intent of this measure is to:

- (1) Urge the Chief Information Officer to ensure prompt implementation of Act 172, Session Laws of Hawaii 2022, (Act 172) on or before December 31, 2024; and
- (2) Request and advise the Chief Information Officer to submit a report to the Legislature no later than thirty days before the Regular Session of 2025, that:
 - (A) Describes the status of implementation of Act 172; and
 - (B) Makes any recommendations for future legislation needed to ensure that the State's electronic information technology meets or exceeds federal accessibility standards.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services, Disability and Communication Access Board, National Federation of the Blind of Hawaii, and six individuals.

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

Your Committee finds that electronic information technology accessibility standards are necessary to ensure disability access to electronic information technology, which is key for independence and equality to people with disabilities in the State. Accordingly, the Legislature enacted Act 172, known as the Hawaii Electronic Information Technology Accessibility Act, which requires the Office of Enterprise Technology Services, in consultation with the Disability and Communication Access Board and a working group composed of stakeholders, to develop, publish, and periodically review and update electronic information technology accessibility standards required to be implemented by all state entities within six months of the publication or amendment of these standards. However, no standards have been issued since the enactment of Act 172 on June 27, 2022. This measure provides a timeline that will help the State

meet its digital equity goals and ensure that all electronic information, programs, and services offered by the State are accessible to individuals with a disability.

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. 5 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Ihara, Fevella).

SCRep. 3452 Labor and Technology on S.R. No. 5

The purpose and intent of this measure is to:

- (1) Urge the Chief Information Officer to ensure prompt implementation of Act 172, Session Laws of Hawaii 2022, (Act 172) on or before December 31, 2024; and
- (2) Request and advise the Chief Information Officer to submit a report to the Legislature no later than thirty days before the Regular Session of 2025, that:
 - (A) Describes the status of implementation of Act 172; and
 - (B) Makes any recommendations for future legislation needed to ensure that the State's electronic information technology meets or exceeds federal accessibility standards.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services, Disability and Communication Access Board, National Federation of the Blind of Hawaii, and three individuals.

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

Your Committee finds that electronic information technology accessibility standards are necessary to ensure disability access to electronic information technology, which is key for independence and equality to people with disabilities in the State. Accordingly, the Legislature enacted Act 172, known as the Hawaii Electronic Information Technology Accessibility Act, which requires the Office of Enterprise Technology Services, in consultation with the Disability and Communication Access Board and a working group composed of stakeholders, to develop, publish, and periodically review and update electronic information technology accessibility standards required to be implemented by all state entities within six months of the publication or amendment of these standards. However, no standards have been issued since the enactment of Act 172 on June 27, 2022. This measure provides a timeline that will help the State meet its digital equity goals and ensure that all electronic information, programs, and services offered by the State are accessible to individuals with a disability.

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. 5 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Ihara, Fevella).

SCRep. 3453 Labor and Technology on S.C.R. No. 83

The purpose and intent of this measure is to urge:

- (1) The Office of Enterprise Technology Services (OETS) to improve the State's Open Data Portal by:
 - (A) Increasing and expanding the data sets available on the Open Data Portal;
 - (B) Centralizing all open data sets of all state departments onto the Open Data Portal;
 - (C) Continually updating the data sets for accuracy and recency of publicly accessible data; and
 - (D) Studying and assessing the successful open data portals of other states and major municipalities; and
- (2) The heads of all state departments to work with OETS to centralize their open data sets to the State's Open Data Portal.

Your Committee received testimony in support of this measure from the Office of Technology Services, Transform Hawai'i Government, and one individual.

Your Committee finds that access to empirical data is critical for decision-makers to make informed decisions. Accordingly, existing law requires each executive department to use reasonable efforts to make appropriate and existing data sets maintained by the department electronically available to the public through the State's Open Data Portal. Your Committee finds, however, that there are certain issues with the State's existing Open Data Portal that prevent access to uniform, accurate, and current empirical data of the State. By ensuring access to this critical data, this measure promotes transparency and supports the ability of decision-makers to make informed, evidence-based decisions that efficiently provide targeted and tailored solutions to suit the needs of the State's residents.

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. 83 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Ihara, Fevella).

SCRep. 3454 Labor and Technology on S.R. No. 69

The purpose and intent of this measure is to urge:

- (1) The Office of Enterprise Technology Services (OETS) to improve the State's Open Data Portal by:
 - (A) Increasing and expanding the data sets available on the Open Data Portal;
 - (B) Centralizing all open data sets of all state departments onto the Open Data Portal;
 - (C) Continually updating the data sets for accuracy and recency of publicly accessible data; and
 - (D) Studying and assessing the successful open data portals of other states and major municipalities; and
- (2) The heads of all state departments to work with OETS to centralize their open data sets to the State's Open Data Portal.

Your Committee received testimony in support of this measure from the Office of Technology Services, Transform Hawai'i Government, and one individual.

Your Committee finds that access to empirical data is critical for decision-makers to make informed decisions. Accordingly, existing law requires each executive department to use reasonable efforts to make appropriate and existing data sets maintained by the department electronically available to the public through the State's Open Data Portal. Your Committee finds, however, that there are certain issues with the State's existing Open Data Portal that prevent access to uniform, accurate, and current empirical data of the State. By ensuring access to this critical data, this measure promotes transparency and supports the ability of decision-makers to make informed, evidence-based decisions that efficiently provide targeted and tailored solutions to suit the needs of the State's residents.

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. 69 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Ihara, Fevella).

SCRep. 3455 Ways and Means on Gov. Msg. No. 536

Recommending that the Senate advise and consent to the nomination of the following:

COUNCIL ON REVENUES

G.M. No. 536 MIKE HAMASU, for a term to expire 06-30-2027

Your Committee reviewed the professional history submitted by Mike Hamasu for service on the Council on Revenues.

Your Committee received testimony in support of the nomination for the appointment of Mike Hamasu from the Department of Budget and Finance.

Upon review of the testimony and the nominee's qualifications, your Committee recognizes that Mike Hamasu earned a Bachelor's degree in Business Administration from the University of Hawaii and a Master's degree in Business Administration from San Francisco State University. He has more than thirty years of experience in marketing and marketing research and has advised clients including the Department of Hawaiian Home Lands, Department of Land and Natural Resources, Hawaii Community Development Authority, and Kamehameha Schools. He also established the real estate consulting division for Colliers Hawaii and has helped oversee more than two billion dollars in commercial development and investment activity in the State. Your Committee believes that Mike Hamasu's expertise and experience make him highly qualified to serve the State on the Council on Revenues.

As 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. Noes, none. Excused, 1 (Kanuha).

SCRep. 3456 Ways and Means on Gov. Msg. No. 537

Recommending that the Senate advise and consent to the nomination of the following:

COUNCIL ON REVENUES

G.M. No. 537 REGINA OSTERGAARD-KLEM, for a term to expire 06-30-2027

Your Committee reviewed the resume submitted by Regina Ostergaard-Klem for service on the Council on Revenues.

Your Committee received testimony in support of the nomination of Regina Ostergaard-Klem from the Department of Budget and Finance, Hawaii Green Growth, and one individual.

Upon review of the testimony and the nominee's qualifications, your Committee recognizes that Regina Ostergaard-Klem earned a Bachelor's degree in Industrial Engineering from Lehigh University, and a Master's degree and Doctoral degree in Systems Analysis and Economics for Public Decision Making from Johns Hopkins University. From 1994 to 1995, she was a Fulbright Fellow at the University of Lodz Department of Urban Economics. From 1997 to 2003, she served as an Environmental Policy Advisor for the United States Agency for International Development, and from 2017 to 2021, she served on the Board of Directors for the United States Society for Ecological Economics. Since 2008, Regina Ostergaard-Klem has taught, published, and spoken on topics including environmental economics, statistics, and ecological economics and sustainable development. Your Committee believes that Regina Ostergaard-Klem's experience and expertise make her highly qualified to serve the State on the Council on Revenues.

As 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. Noes, none. Excused, 1 (Kanuha).

SCRep. 3457 Ways and Means on Gov. Msg. No. 538

Recommending that the Senate advise and consent to the nomination of the following:

COUNCIL ON REVENUES

G.M. No. 538 CARL BONHAM, for a term to expire 06-30-2027

Your Committee reviewed the resume of Carl Bonham for service on the Council on Revenues.

Your Committee received testimony in support of the nomination for the appointment of Carl Bonham from the University of Hawaii Professional Assembly.

Upon review of the testimony and the nominee's qualifications, your Committee recognizes that Carl Bonham earned a Bachelor's degree in Economics, *magna cum laude*, from Tulane University and a Doctoral degree in Economics from the University of Texas. Since 2001, he has served as the Executive Director of the University of Hawaii Economic Research Organization and a Professor of Economics at the University of Hawaii at Manoa. He has participated as an economic expert in numerous briefings held jointly by the House Finance Committee and Senate Committee on Ways and Means and at meetings of the Honolulu City Council Committee on Business, Economic Development, and Tourism. He served on the Council on Revenues from 1996 to 2001 and has presently served on the Council since 2003. Your Committee believes that Carl Bonham's expertise, experience, and commitment to public service make him highly qualified to continue to serve the State on the Council on Revenues.

As 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. Noes, none. Excused, 1 (Kanuha).

SCRep. 3458 Water and Land on S.C.R. No. 203

The purpose and intent of this measure is to request the Office of Planning and Sustainable Development to inventory and map existing R-1 water delivery systems and reservoirs in Maui County.

Your Committee received testimony in support of this measure from one member of the Maui County Council and one individual.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that without increasing the use of reclaimed water in the State, residents will encounter potable drinking water shortages caused by the overuse of potable drinking water for agricultural, landscaping, or firefighting purposes. Your Committee further finds that an important first step in increasing the use of reclaimed water is to create accurate inventories and maps of existing R-1 water delivery systems and reservoirs that may be used for reclaimed water storage. Your Committee believes that requesting the Office of Planning and Sustainable Development to create an inventory and maps of existing R-1 water delivery systems and reservoirs on the island of Maui could result in more efficient access to, and use of, fresh water.

Your Committee has amended this measure by:

- (1) Inserting language requesting that, in addition to the Office of Planning and Sustainable Development, the County of Maui:
 - (A) Inventory and map existing R-1 water delivery systems and reservoirs in Maui County; and
 - (B) Submit the inventory and maps to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025;
- (2) Amending its title in accordance with its amended purpose; and
- (3) Including the Mayor of the County of Maui as a recipient of certified copies of this measure.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 203, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 203, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3459 Water and Land on S.R. No. 179

The purpose and intent of this measure is to request the Office of Planning and Sustainable Development to inventory and map existing R-1 water delivery systems and reservoirs in Maui County.

Your Committee received testimony in support of this measure from one member of the Maui County Council.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that without increasing the use of reclaimed water in the State, residents will encounter potable drinking water shortages caused by the overuse of potable drinking water for agricultural, landscaping, or firefighting purposes. Your Committee further finds that an important first step in increasing the use of reclaimed water is to create accurate inventories and maps of existing R-1 water delivery systems and reservoirs that may be used for reclaimed water storage. Your Committee believes that requesting the Office of Planning and Sustainable Development to create an inventory and maps of existing R-1 water delivery systems and reservoirs on the island of Maui could result in more efficient access to, and use of, fresh water.

Your Committee has amended this measure by:

- (1) Inserting language requesting that, in addition to the Office of Planning and Sustainable Development, the County of Maui:
 - (A) Inventory and map existing R-1 water delivery systems and reservoirs in Maui County; and
 - (B) Submit the inventory and maps to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025;
- (2) Amending its title in accordance with its amended purpose; and
- (3) Including the Mayor of the County of Maui as a recipient of certified copies of this measure.

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. 179, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 179, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3460 Water and Land on S.C.R. No. 216

The purpose and intent of this measure is to urge the Department of Land and Natural Resources to require all certified arborists in its employ to adhere to industry best practices.

Your Committee received testimony in support of this measure from The Outdoor Circle and one individual.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that trees are essential for improving soil health and building climate resiliency in addition to a myriad of other benefits. Your Committee further finds that certified arborists are obligated to perform tree care and maintenance that meets industry standards and best practices. Your Committee concludes that requiring all certified arborists to adhere to industry best practices will ensure that tree care is properly performed in the State.

Your Committee has amended this measure by:

- (1) Inserting findings to define “best practices” to mean adherence to the American National Standards A300 Tree Care standards;
- (2) Clarifying that certified arborists employed by the Department of Land and Natural Resources includes contractors; and
- (3) 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. 216, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 216, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3461 Water and Land on S.R. No. 191

The purpose and intent of this measure is to urge the Department of Land and Natural Resources to require all certified arborists in its employ to adhere to industry best practices.

Your Committee received testimony in support of this measure from The Outdoor Circle and one individual.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that trees are essential for improving soil health and building climate resiliency in addition to a myriad of other benefits. Your Committee further finds that certified arborists are obligated to perform tree care and maintenance that meets industry standards and best practices. Your Committee concludes that requiring all certified arborists to adhere to industry best practices will ensure that tree care is properly performed in the State.

Your Committee has amended this measure by:

- (1) Inserting findings to define “best practices” to mean adherence to the American National Standards A300 Tree Care standards;
- (2) Clarifying that certified arborists employed by the Department of Land and Natural Resources includes contractors; and
- (3) 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. 191, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 191, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3462 Water and Land on S.C.R. No. 225

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 to use job order contracting for boating and ocean recreation facility maintenance and repair.

Your Committee received testimony in support of this measure from two individuals.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that improperly maintained boating and ocean recreation facilities injure persons and property and may also damage Hawaii's marine ecosystems and coral reefs. Your Committee further finds that job order contracting would be an appropriate, efficient, and effective contracting method to ensure the proper maintenance and repair of the State's boating and ocean recreation facilities. Your Committee therefore recommends that the Division of Boating and Ocean Recreation (DOBOR) of the Department of Land and Natural Resources use job order contracting to streamline maintenance and repair of all DOBOR facilities, including dredging, bathroom, and pier repairs.

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. 225 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3463 Water and Land on S.R. No. 201

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 to use job order contracting for boating and ocean recreation facility maintenance and repair.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that improperly maintained boating and ocean recreation facilities injure persons and property and may also damage Hawaii's marine ecosystems and coral reefs. Your Committee further finds that job order contracting would be an appropriate, efficient, and effective contracting method to ensure the proper maintenance and repair of the State's boating and ocean recreation facilities. Your Committee therefore recommends that the Division of Boating and Ocean Recreation (DOBOR) of the Department of Land and Natural Resources use job order contracting to streamline maintenance and repair of all DOBOR facilities, including dredging, bathroom, and pier repairs.

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. 201 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3464 Water and Land on S.C.R. No. 117

The purpose and intent of this measure is to request the Department of Land and Natural Resources to identify all appropriate sites at state parks at which a water-bottle filling station could be installed.

Your Committee received testimony in support of this measure from Friends of Hanauma Bay and one individual.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that drinking water is a vital necessity for individuals and should be readily accessible for those enjoying Hawaii's state parks, where parkgoers are active and subject to sun exposure. Refillable water bottles help protect the environment and are more cost-efficient than single-use plastic beverage containers, which contribute to environmental degradation and pollute state parks and adjacent marine environments. Your Committee believes that the installation of water-bottle filling stations at state parks will benefit parkgoers and the environment.

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. 117 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (McKelvey, Fevella).

SCRep. 3465 Water and Land on S.R. No. 100

The purpose and intent of this measure is to request the Department of Land and Natural Resources to identify all appropriate sites at state parks at which a water-bottle filling station could be installed.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that drinking water is a vital necessity for individuals and should be readily accessible for those enjoying Hawaii's state parks, where parkgoers are active and subject to sun exposure. Refillable water bottles help protect the environment and are more cost-efficient than single-use plastic beverage containers, which contribute to environmental degradation and pollute state parks and adjacent marine environments. Your Committee believes that the installation of water-bottle filling stations at state parks will benefit parkgoers and the environment.

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. 100 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (McKelvey, Fevella).

SCRep. 3466 Water and Land on S.C.R. No. 119

The purpose and intent of this measure is to request the Office of Planning and Sustainable Development and Land Use Commission to develop an integrated land use plan.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development, Hawai'i Farm Bureau, and one individual.

Your Committee received comments on this measure from the Department of Agriculture and Land Use Commission.

Your Committee finds that there are various, sometimes-competing state plans, goals, and objectives regarding land use in the State, including the need for land to increase food sustainability, promote renewable energy resources, address the shortage of affordable housing, and adapt to and mitigate sea level rise and climate change. Your Committee further finds that an integrated land use plan would help to address these sometimes conflicting plans, particularly with respect to agriculture, energy, and housing. Your Committee believes that the creation of an integrated land use plan to guide the State's planning and decision-making on agriculture, energy, and housing will benefit the State.

Your Committee has amended this measure by:

- (1) Inserting language requesting the State Sustainability Coordinator to lead the development of the integrated land use plan;
- (2) Amending the deadline by which the Office of Planning and Sustainable Development and Land Use Commission are requested to submit the integrated land use plan from December 1, 2024, to December 1, 2026;
- (3) Inserting language requesting the Office of Planning and Sustainable Development to report on the progress of the integrated land use plan and the progress of data-based estimates to achieve this measure's objectives to the Legislature and Land Use Commission by December 1, 2025;
- (4) Inserting language requesting the Office of Planning and Sustainable Development to update and report on the integrated land use study to the Legislature and Land Use Commission every five years;
- (5) Inserting language requesting an amendment to the state budget to appropriate \$500,000 to the Office of Planning and Sustainable Development for the necessary resources to conduct the integrated land use study; and
- (6) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 119, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 119, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 3467 Water and Land on S.R. No. 102

The purpose and intent of this measure is to request the Office of Planning and Sustainable Development and Land Use Commission to develop an integrated land use plan.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development and Hawai'i Farm Bureau.

Your Committee received comments on this measure from the Department of Agriculture and Land Use Commission.

Your Committee finds that there are various, sometimes-competing state plans, goals, and objectives regarding land use in the State, including the need for land to increase food sustainability, promote renewable energy resources, address the shortage of affordable housing, and adapt to and mitigate sea level rise and climate change. Your Committee further finds that an integrated land use plan would help to address these sometimes conflicting plans, particularly with respect to agriculture, energy, and housing. Your Committee believes that the creation of an integrated land use plan to guide the State's planning and decision-making on agriculture, energy, and housing will benefit the State.

Your Committee has amended this measure by:

- (1) Inserting language requesting the State Sustainability Coordinator to lead the development of the integrated land use plan;
- (2) Amending the deadline by which the Office of Planning and Sustainable Development and Land Use Commission are requested to submit the integrated land use plan from December 1, 2024, to December 1, 2026;
- (3) Inserting language requesting the Office of Planning and Sustainable Development to report on the progress of the integrated land use plan and the progress of data-based estimates to achieve this measure's objectives to the Legislature and Land Use Commission by December 1, 2025;
- (4) Inserting language requesting the Office of Planning and Sustainable Development to update and report on the integrated land use study to the Legislature and Land Use Commission every five years;

- (5) Inserting language requesting an amendment to the state budget to appropriate \$500,000 to the Office of Planning and Sustainable Development for the necessary resources to conduct the integrated land use study; and
- (6) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 102, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 102, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 3468 Water and Land on S.C.R. No. 122

The purpose and intent of this measure is to request the Department of Land and Natural Resources to work with the National Oceanic and Atmospheric Administration and other experts to conduct a study on the population status of depleted coral reef herbivores around the island of Oahu and develop effective alternative policies for substantially replenishing those populations within a decade.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Reef and Ocean Coalition, Friends of Hanauma Bay, The Nature Conservancy, Restore the Commons, Global March for Elephants and Rhinos, Oceanic Preservation Society, and twenty-two individuals.

Your Committee received comments on this measure from For the Fishes.

Your Committee finds that coral reefs are fundamental to the fabric of local communities, providing a source of food, materials, and traditional activities, in addition to ecological and economic benefits. The maintenance and recovery of coral reefs requires an abundant and diverse population of coral reef herbivores. The population of these fish around the island of Oahu is five percent below its potential. Your Committee recognizes the importance of herbivorous reef fish to the health of coral reef ecosystems and finds that a study on the population status of various herbivore fish species will help increase the population of these species around the island of Oahu.

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 Water and Land 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, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 3469 Water and Land on S.C.R. No. 176

The purpose and intent of this measure is to urge the Department of Land and Natural Resources and Board of Land and Natural Resources to adopt certain procedures relating to the Dam and Appurtenance Improvement or Removal Grant Program to assist applicants in obtaining grants.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau and one individual.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the Dam and Appurtenance Improvement or Removal Grant Program provides funding to owners of private dams for plans, design, construction, and equipment to improve or remove deficient dams and appurtenances, as determined by the Department of Land and Natural Resources (Department). However, grant applicants are subject to the discretion and uneven application of criteria by the Department and Board of Land and Natural Resources (Board), which discourages applicants from improving these structures. Your Committee maintains that the Board and Department should clarify and communicate to the public the criteria it develops for the award of grants from the Dam and Appurtenance Improvement or Removal Grant Program to assist applicants in their efforts to maintain or improve existing dam infrastructure.

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 Water and Land 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, none. Excused, 1 (McKelvey).

SCRep. 3470 Water and Land on S.C.R. No. 215

The purpose and intent of this measure is to request the Department of Land and Natural Resources to collaborate with federal, state, and county governments; landowners; and stakeholders to protect, restore, and manage the West Maui wetlands and wetlands statewide.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that wetlands help improve water quality, increase groundwater flows, provide habitats for native species, act as natural firebreaks, and greatly benefit coastal water quality. The ongoing recovery efforts in Lahaina and West Maui after the devastating August 2023 wildfires provide an opportunity to rebuild and restore historic wetlands that had been covered with commercial or residential developments. Your Committee concludes that a collaborative effort between federal, state, and county governments; landowners; and stakeholders to protect, restore, and manage West Maui wetlands and wetlands statewide would be beneficial to 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 Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 215, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 215, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3471 Water and Land on S.R. No. 192

The purpose and intent of this measure is to request the Department of Land and Natural Resources to collaborate with federal, state, and county governments; landowners; and stakeholders to protect, restore, and manage the West Maui wetlands and wetlands statewide.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that wetlands help improve water quality, increase groundwater flows, provide habitats for native species, act as natural firebreaks, and greatly benefit coastal water quality. The ongoing recovery efforts in Lahaina and West Maui after the devastating August 2023 wildfires provide an opportunity to rebuild and restore historic wetlands that had been covered with commercial or residential developments. Your Committee concludes that a collaborative effort between federal, state, and county governments; landowners; and stakeholders to protect, restore, and manage West Maui wetlands and wetlands statewide would be beneficial to 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 Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 192, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 192, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3472 (Joint) Water and Land and Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 123

The purpose and intent of this measure is to request the Department of Land and Natural Resources to convene a working group to make recommendations on solutions to reduce wildfire risk and the feasibility of establishing a vegetation management program as it relates to landowners and public utilities.

Your Committees received testimony in support of this measure from Hawaiian Electric, International Brotherhood of Electrical Workers Local Union 1260, and one individual.

Your Committees received comments on this measure from the Department of Land and Natural Resources, Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, and Public Utilities Commission.

Your Committees find that the Wildfire Prevention Working Group found that guinea grass, fountain grass, molasses grass, and buffelgrass can form continuous fuel beds, ignite easily, attain extremely high fine fuel loads, and are capable of growing back more vigorously in the post-fire environment than the majority of native vegetation. Your Committees further find that a significant portion of public and private lands are covered in unmanaged grasses, trees, and other vegetation that may pose a wildfire risk. Your Committees believe that vegetation management is essential for the mitigation of wildfire risks and the promotion of safer conditions for the State's communities and environment.

Your Committees have amended this measure by:

- (1) Requesting that the working group include:
 - (A) A representative of the University of Hawaii College of Tropical Agriculture and Human Resources;
 - (B) A representative of the International Brotherhood of Electrical Workers Local Union 1260; and
 - (C) One member representing the telecommunications industry, to be invited by the chairperson of the working group; 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 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. 123, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 123, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (Rhoads, Awa).

SCRep. 3473 (Joint) Water and Land and Public Safety and Intergovernmental and Military Affairs on S.R. No. 105

The purpose and intent of this measure is to request the Department of Land and Natural Resources to convene a working group to make recommendations on solutions to reduce wildfire risk and the feasibility of establishing a vegetation management program as it relates to landowners and public utilities.

Your Committees received testimony in support of this measure from Hawaiian Electric, International Brotherhood of Electrical Workers Local Union 1260, and one individual.

Your Committees received comments on this measure from the Department of Land and Natural Resources, Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, and Public Utilities Commission.

Your Committees find that the Wildfire Prevention Working Group found that guinea grass, fountain grass, molasses grass, and buffelgrass can form continuous fuel beds, ignite easily, attain extremely high fine fuel loads, and are capable of growing back more vigorously in the post-fire environment than the majority of native vegetation. Your Committees further find that a significant portion of public and private lands are covered in unmanaged grasses, trees, and other vegetation that may pose a wildfire risk. Your Committees believe that vegetation management is essential for the mitigation of wildfire risks and the promotion of safer conditions for the State's communities and environment.

Your Committees have amended this measure by:

- (1) Requesting that the working group include:
 - (A) A representative of the University of Hawaii College of Tropical Agriculture and Human Resources;
 - (B) A representative of the International Brotherhood of Electrical Workers Local Union 1260; and
 - (C) One member representing the telecommunications industry, to be invited by the chairperson of the working group; 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 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. 105, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 105, S.D. 1.

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, 3. Noes, none. Excused, 2 (Rhoads, Awa).

SCRep. 3474 Judiciary on H.B. No. 2184

The purpose and intent of this measure is to:

- (1) Prohibit contributions from persons convicted or found in violation of various campaign finance, ethical, or lobbying offenses;
- (2) Require unlawful contributions to escheat to the Hawaii Election Campaign Fund; and
- (3) Require contributions held by persons who were convicted or found in violation of any of the various campaign finance, ethical, or lobbying offenses to be returned to their respective contributors and, if not returned, to escheat to the Hawaii Election Campaign Fund.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Democratic Party of Hawai'i, and four individuals.

Your Committee received comments on this measure from the Department of the Attorney General and Hawai'i State Ethics Commission.

Your Committee finds that the integrity of public officials is paramount to government accountability. However, a loophole in the State's existing campaign finance laws allows candidates, lobbyists, and other individuals who are convicted of campaign spending, ethics, or lobbying offenses to keep control of the money they raised for their campaign accounts. This measure will promote public trust by closing this loophole and bolstering campaign finance integrity in the State.

Your Committee has amended this measure by:

- (1) Clarifying that the prohibition against contributions applies only to a person convicted of various campaign finance, ethical, or lobbying offenses, and not to a person only found in violation of those offenses;
- (2) Clarifying that funds that were received by a candidate, candidate committee, or noncandidate committee from a person found in violation or convicted of violating the prohibition against contributions from persons convicted of various campaign finance, ethical, or lobbying offenses are required to escheat to the Hawaii Election Campaign Fund;
- (3) Deleting language that would have required contributions held by persons who were convicted or found in violation of any of the various campaign finance, ethical, or lobbying offenses to be returned to their respective contributors and, if not returned, to escheat to the Hawaii Election Campaign Fund;

- (4) Inserting language allowing the Campaign Spending Commission and State Ethics Commission to notify a candidate, candidate committee, or noncandidate committee that a person who contributed funds to the candidate, candidate committee, or noncandidate committee did so in violation of the prohibition against contributions from persons convicted of various campaign finance, ethical, or lobbying offenses;
- (5) Inserting an effective date of April 14, 2112, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2184, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2184, 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. 3475 Judiciary on H.B. No. 2657

The purpose and intent of this measure is to establish judicial procedures to prevent and remedy abusive litigation.

Your Committee received testimony in support of this measure from Parents and Children Together, YWCA Kaua'i, Hawai'i Children's Action Network Speaks!, Women's Caucus of the Democratic Party of Hawai'i, Hawai'i Women Lawyers, Hawai'i State Coalition Against Domestic Violence, Hawai'i Women's Coalition, and two individuals.

Your Committee received comments on this measure from the Judiciary.

Your Committee finds that abusive litigation in the intimate partner violence context is a unique issue that needs to be addressed. Individuals who abuse their intimate partners may also take advantage of court proceedings to control, harass, intimidate, coerce, and impoverish the abused partner, even after a relationship has ended. Your Committee further finds that abusive litigation arises in a variety of contexts, often in family law cases, and it is not uncommon for abusers to file civil lawsuits against survivors. This measure will provide a critical new protective tool for survivor safety, empowerment, financial independence, economic justice, and peace after surviving domestic or sexual violence.

Your Committee has amended this measure by:

- (1) Amending the definition of "abusive litigation" to require the factual basis of a past temporary restraining order or order for protection in a case of domestic violence be included when determining whether litigation is abusive;
- (2) Deleting language that would have included a pending criminal charge of domestic violence as a basis for determining whether litigation is abusive;
- (3) Deleting language that would have included a signed affidavit from a domestic violence or sexual assault agency that assists victims of domestic violence and sexual assault as a basis for determining whether litigation is abusive;
- (4) Making it effective on January 1, 2025; 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. 2657, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2657, 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, none. Excused, 2 (San Buenaventura, Awa).

SCRep. 3476 (Majority) Ways and Means on H.B. No. 1919

The purpose and intent of this measure is to establish the state boating facility lease pilot program.

More specifically, this measure:

- (1) Authorizes the Board of Land and Natural Resources to lease certain fast lands and submerged lands for, among other things, maintenance by a private entity;
- (2) Repeals certain statutory provisions relating to the leasing of fast lands and submerged lands of the Ala Wai Boat Harbor; and
- (3) Establishes a state boating facility lease pilot program to lease one state small boat harbor in its entirety for private development, management, maintenance, and operation, subject to certain conditions,

until June 30, 2044.

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 Albatross News; Explore Kauai Scuba, LLC; Free Access Coalition; Hawaii Government Employees Association; Kamaaina Boaters; Malama Moana; Surfriider Oahu; UNITE HERE Local 5; United Public Workers; and numerous individuals.

Your Committee received comments on this measure from the Department of Budget and Finance and one individual.

Your Committee finds that allowing the Board of Land and Natural Resources to lease one small boat harbor and associated submerged lands in the State will help to enable private entities to make much-needed improvements to the State's small boat harbor facilities.

Your Committee has amended this measure by:

- (1) Codifying in statute, rather than session law, certain provisions of this measure establishing the state boating facility lease pilot program;
- (2) Renaming the state boating facility lease pilot program as the state boating facility lease program;
- (3) Clarifying that no lease entered into under the state boating facility lease program shall be for a period ending after June 30, 2044;
- (4) Clarifying the selection procedure for the small boat harbor to be leased under the state boating facility lease program;
- (5) Inserting an appropriation of \$440,000 out of the boating special fund for the establishment of four full-time equivalent (4.0 FTE) boating and ocean recreation harbor agent VI positions; and
- (6) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1919, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1919, 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; Ayes with Reservations (Shimabukuro). Noes, 2 (Inouye, Fevella). Excused, 1 (Kanuha).

SCRep. 3477 Judiciary on H.B. No. 1884

The purpose and intent of this measure is to clarify disclosure requirements for members of the Legislature related to clients of the member, member's partner, or member's employer.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission.

Your Committee finds that the public has a right to know who is in a position to influence legislator's decisions. Your Committee believes that requiring legislators to make certain disclosures about contributions from lobbying organizations, in addition to lobbyists, is important for identifying potential conflicts of interest, fostering transparency, and bolstering public confidence in the integrity of legislators. This measure will enhance transparency regarding potential conflicts of interest.

Your Committee has amended this measure by inserting an effective date of April 14, 2112, 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. 1884, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1884, 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, none. Excused, 2 (Elefante, Awa).

SCRep. 3478 Judiciary on H.B. No. 1580

The purpose and intent of this measure is to amend the criminal penalties for various animal cruelty offenses by increasing the category of offense.

Your Committee received testimony in support of this measure from the Department of Law Enforcement, Disability and Communication Access Board, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaiian Humane Society, Animal Interfaith Alliance in Britain, Hina's Legacy Rescue Foundation, Fur-Angel Foundation, Animal Welfare Institute, Hui Pono Holoholona, and twenty-four individuals.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender and ten individuals.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that there has been a significant increase in animal cruelty cases in the State over the past five years. According to the Honolulu Police Department, there were seventy-three animal cruelty crimes in 2023 compared to fifty-eight in 2018. Additionally, recent research has shown that animal cruelty is a predictive and co-occurring crime with violence against humans, including children, intimate partners, and the elderly. Your Committee believes that the prevalence of animal cruelty crimes in the State and its correlation with other serious violent crimes warrants increased penalties for offenders. This measure will deter individuals from participating in animal abuse by increasing the criminal penalties for various animal cruelty offenses.

Your Committee has amended this measure by:

- (1) Clarifying that cruelty to animals in the second degree is a misdemeanor, except if the offense involves the death of an animal or if it involves ten or more pet animals in any one instance, it is a class B felony and in addition to any other penalties imposed, the person is prohibited from possessing or owning any animal for a minimum of five years from the date of conviction;
- (2) Deleting language that would have made a first offense of:
 - (A) Cruelty to animals by fighting dogs in the first degree a class A felony;

- (B) Cruelty to animals by fighting dogs in the second degree a class B felony;
 - (C) Cruelty to animals by trapping a class C felony;
 - (D) Causing injury or death to a service animal or law enforcement animal a class B felony;
 - (E) Pet animal or equine animal desertion a misdemeanor with an additional \$2,000 fine;
 - (F) Pet animal or equine animal desertion and recklessly causing the death of or substantial bodily injury to the pet animal or equine animal a class C felony with an additional \$10,000 fine; and
 - (G) Sexual assault of an animal a class C or class A felony, depending on the presence of a minor;
- (3) Increasing the criminal penalties for the second or subsequent offense for:
- (A) Cruelty to animals by fighting dogs in the first degree;
 - (B) Cruelty to animals by fighting dogs in the second degree;
 - (C) Cruelty to animals by trapping;
 - (D) Causing injury or death to a service animal or law enforcement animal;
 - (E) Pet animal or equine animal desertion;
 - (F) Pet animal or equine animal desertion and recklessly causing the death of or substantial bodily injury to the pet animal or equine animal; and
 - (G) Sexual assault of an animal;
- (4) Making it effective upon its approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1580, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1580, 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. 3479 (Majority) Transportation and Culture and the Arts on H.B. No. 1950

The purpose and intent of this measure is to designate November 22 of each year as “Kimchi Day” in the State.

Your Committee received testimony in support of this measure from the Maui Korean Community Association, United Korean Association of Hawaii, Korean American Foundation Hawaii, Maui Dance Klub at the University of Hawaii Maui College, Maui Full Gospel Church, and three individuals.

Your Committee received comments on this measure from one individual.

Your Committee finds that kimchi is a traditional Korean dish with a long, rich history spanning over two millennia. Your Committee further finds that Hawaii is the birthplace of the first commercialized bottled kimchi in the country. This measure recognizes the contributions of Korean culture and food in Hawaii by designating November 22 as “Kimchi Day”.

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. 1950, 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, 1 (Awa). Excused, 1 (Kanuha).

SCRep. 3480 Judiciary on H.B. No. 1541

The purpose and intent of this measure is to amend Act 36, Session Laws of Hawaii 2019, to change the effective date from July 1, 2050, to July 1, 2024.

Your Committee received testimony in support of this measure from the Department of Health and one individual.

Your Committee finds that suicide remains an issue for the State, with the State experiencing more than two hundred suicides per year. To raise awareness of this issue, the Legislature passed Act 36, Session Laws of Hawaii 2019, which designated the month of September as Hawaii Suicide Prevention Month. However, the effective date of Act 36, Session Laws of Hawaii 2019, was July 1, 2050. This measure will correct the error and increase public awareness of suicide prevention.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1541, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3481 (Majority) Commerce and Consumer Protection on H.B. No. 2318

The purpose and intent of this measure is to exempt planned community associations and condominium associations from the quorum and voting requirements established under the Hawaii Nonprofit Corporations Act.

Your Committee received testimony in support of this measure from the Hawai'i State Association of Parliamentarians, Palehua Townhouse Association, and one individual.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the quorum and voting provisions of the Hawaii Nonprofit Corporations Act, which apply to all planned community associations and condominium associations that have incorporated as nonprofit corporations, essentially consider the abstention from a vote to be the mathematical equivalent of a "no" vote. As a result, many smaller or limited-size planned community association and condominium association boards have been hampered in their ability to carry out actions on behalf of the unit owners that they represent, especially in situations where multiple directors must abstain from a vote based on actual or perceived conflicts of interest. Therefore, this measure would separate the voting requirements for planned community association and condominium association boards from the voting requirements for boards under the Hawaii Nonprofit Corporations Act, to improve these boards' self-governance and provide them greater flexibility in their decision-making processes.

Your Committee has amended this measure by inserting an effective date of July 1, 2040, 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. 2318, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2318, 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 (Awa). Excused, 1 (Richards).

SCRep. 3482 Commerce and Consumer Protection on H.B. No. 2192

The purpose and intent of this measure is to authorize the Director of Commerce and Consumer Affairs to appoint an organization as the limited owner of a cemetery, under certain circumstances, for the purpose of providing perpetual care and security measures for the cemetery.

Your Committee received testimony in support of this measure from the Cemetery and Funeral Trusts Program of the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs, one member of the Honolulu City Council, Pearl City Neighborhood Board No. 21, and three individuals.

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 cemetery has been described as having a damaged mausoleum, sinking graves, and markers that are hidden under overgrown grass and bushes. Your Committee also finds that with no owner to take responsibility, Sunset Memorial Park currently relies on volunteers to maintain the cemetery.

Your Committee further finds that although the Department of Commerce and Consumer Affairs has taken certain positive steps to remediate the condition of Sunset Memorial Park, the lack of an owner for the cemetery, who could provide ongoing maintenance and security measures, has left the property in a state of disrepair, and subject to vandalism and desecration. Therefore, this measure will help restore the sanctity of Sunset Memorial Park--along with other cemeteries that are currently without an owner--and deliver peace to the relatives and friends of the deceased buried there.

Your Committee has amended this measure by:

- (1) Inserting language authorizing an appointed limited owner of a cemetery to contract for certain major repair work and to generate and raise long-term funding in support of the cemetery;
- (2) Inserting language requiring an appointed limited owner of a cemetery to submit annual reports to the Department of Commerce and Consumer Affairs regarding the status and progress of any new and existing initiatives undertaken to improve the cemetery;
- (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 H.B. No. 2192, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2192, 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. 3483 Commerce and Consumer Protection on H.B. No. 1758

The purpose and intent of this measure is to clarify, for purposes of determining a person's eligibility for licensure as a professional engineer, that "lawful experience in engineering work" includes code compliance review of plans for construction applicable to the specific engineering field.

Your Committee received testimony in support of this measure from the Department of Human Resources of the City and County of Honolulu; Pacific Resource Partnership; EAH Housing; and Stanford Carr Development, LLC.

Your Committee received testimony in opposition to this measure from the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects.

Your Committee finds that local government agencies such as counties are having a difficult time recruiting and retaining engineers, as these agencies are unable to compete with the more competitive salaries offered by the private sector and federal government. Your Committee finds that it is in the public interest to provide prospective county engineers with a clear career path that will allow them to receive their professional licensure and help encourage them to remain in government service. Separately, increasing the number of county engineers will help alleviate the current back log in permitting and construction, which will indirectly support the construction of housing throughout the State. This measure will enable current plans examining engineers in local permitting agencies, who gain experience from reviewing electrical, plumbing, and building plans, to count their work hours towards the prerequisites to sit for the professional engineer license written examination. As a result, this measure will provide a clear path to promotion through licensure for these engineers, address the shortage of licensed plans examining engineers in the local government, and facilitate the timely issuance of permits to the benefit of the community.

Your Committee notes the concerns raised in testimony that a person who reviews plans and calculations may be aware of building codes, but the person is not performing integrated design or other standard engineering practices, and therefore, only accepting one hundred percent plan review as qualifying experience to take the professional engineer license written examination may jeopardize the health, safety, and welfare of consumers. Accordingly, there is a need to amend this measure to address this concern.

Accordingly, your Committee has amended this measure by clarifying that only employees of a municipality may apply their experience in code compliance review of construction plans towards the required "lawful experience in engineering work" necessary to qualify for professional engineer licensure.

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. 1758, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1758, 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. 3484 (Joint) Commerce and Consumer Protection and Judiciary on S.C.R. No. 163

The purpose and intent of this measure is to request the Department of the Attorney General to conduct a study to determine the effectiveness of existing state laws in addressing the false labeling of Hawaii-made food products.

Your Committees received testimony in support of this measure from the Hawaii Cattlemen's Council, Inc.; Hawai'i Farm Bureau; and one individual.

Your Committees received testimony in opposition to this measure from the Department of the Attorney General.

Your Committees received comments on this measure from the Department of Agriculture.

Your Committees find that certain individuals and entities have falsely labeled their food products in a manner that can mislead consumers into believing that they were produced or manufactured in Hawaii, when they were in actuality produced or manufactured elsewhere. Presently, existing state laws may not provide adequate protection, relief, or recourse for local producers and consumers who seek to stop manufacturers from falsely labeling their food products as being Hawaii-made when they are not. Therefore, this measure will assist local producers and consumers by requesting that a study be conducted to address the false labeling of Hawaii-made food products.

Your Committees note the concern raised in the testimony of the Department of Attorney General that the data gathering, surveys, research, and analysis of economic and statistical data that would be necessary for the study proposed in this measure goes beyond the purview of the Department. Therefore, it is necessary to amend this measure to address this concern.

Accordingly, your Committees have amended this measure by:

- (1) Deleting language that would have requested the Department of the Attorney General to independently conduct a study and inserting language requesting the Department of the Attorney General to convene a working group to study the effectiveness of existing state laws in addressing the false labeling of Hawaii-made food products, with a specific emphasis on the legal mechanisms and costs associated with protecting the brands of Hawaii-made food products;
- (2) Inserting language requesting the working group to comprise the following members:
 - (A) The Attorney General, or the Attorney General's designee, to serve as the Chairperson of the working group;
 - (B) One member from the University of Hawai'i at Manoa William S. Richardson School of Law with academic or professional expertise in intellectual property law, to be selected by the Dean of the William S. Richardson School of Law;
 - (C) The Chairperson of the Board of Agriculture, or the Chairperson's designee;
 - (D) The Director of Business, Economic Development, and Tourism, or the Director's designee;
 - (E) The Executive Director of the Office of Consumer Protection of the Department of Commerce and Consumer Affairs, or the Executive Director's designee;
 - (F) One member from the Intellectual Property and Technology section of the Hawaii State Bar Association, to be selected by the President of the Hawaii State Bar Association who is requested to be invited by the Chairperson; and

- (G) Any other member deemed necessary by the working group;
- (3) Inserting language that requests the working group, with the assistance of the Department of the Attorney General, to submit a report of the working group's findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025;
- (4) Updating the list of recipients to whom the certified copies are to be transmitted;
- (5) Amending its title to reflect its amended purpose; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 163, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 163, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

Judiciary: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3485 (Joint) Commerce and Consumer Protection and Judiciary on S.R. No. 137

The purpose and intent of this measure is to request the Department of the Attorney General to conduct a study to determine the effectiveness of existing state laws in addressing the false labeling of Hawaii-made food products.

Your Committees received testimony in support of this measure from the Hawaii Cattlemen's Council, Inc. and Hawai'i Farm Bureau.

Your Committees received testimony in opposition to this measure from the Department of the Attorney General.

Your Committees received comments on this measure from the Department of Agriculture.

Your Committees find that certain individuals and entities have falsely labeled their food products in a manner that can mislead consumers into believing that they were produced or manufactured in Hawaii, when they were in actuality produced or manufactured elsewhere. Presently, existing state laws may not provide adequate protection, relief, or recourse for local producers and consumers who seek to stop manufacturers from falsely labeling their food products as being Hawaii-made when they are not. Therefore, this measure will assist local producers and consumers by requesting that a study be conducted to address the false labeling of Hawaii-made food products.

Your Committees note the concern raised in the testimony of the Department of Attorney General that the data gathering, surveys, research, and analysis of economic and statistical data that would be necessary for the study proposed in this measure goes beyond the purview of the Department. Therefore, it is necessary to amend this measure to address this concern.

Accordingly, your Committees have amended this measure by:

- (1) Deleting language that would have requested the Department of the Attorney General to independently conduct a study and inserting language requesting the Department of the Attorney General to convene a working group to study the effectiveness of existing state laws in addressing the false labeling of Hawaii-made food products, with a specific emphasis on the legal mechanisms and costs associated with protecting the brands of Hawaii-made food products;
- (2) Inserting language requesting the working group to comprise the following members:
 - (A) The Attorney General, or the Attorney General's designee, to serve as the Chairperson of the working group;
 - (B) One member from the University of Hawai'i at Manoa William S. Richardson School of Law with academic or professional expertise in intellectual property law, to be selected by the Dean of the William S. Richardson School of Law;
 - (C) The Chairperson of the Board of Agriculture, or the Chairperson's designee;
 - (D) The Director of Business, Economic Development, and Tourism, or the Director's designee;
 - (E) The Executive Director of the Office of Consumer Protection of the Department of Commerce and Consumer Affairs, or the Executive Director's designee;
 - (F) One member from the Intellectual Property and Technology section of the Hawaii State Bar Association, to be selected by the President of the Hawaii State Bar Association who is requested to be invited by the Chairperson; and
 - (G) Any other member deemed necessary by the working group;
- (3) Inserting language that requests the working group, with the assistance of the Department of the Attorney General, to submit a report of the working group's findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025;
- (4) Updating the list of recipients to whom the certified copies are to be transmitted;
- (5) Amending its title to reflect its amended purpose; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 137, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 137, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

Judiciary: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3486 Labor and Technology on S.C.R. No. 184

The purpose and intent of this measure is to request:

- (1) The Department of Human Resources Development to conduct a sample survey of organizations in the State within the for-profit, nonprofit, and government sectors that have successfully implemented remote work, hybrid work, or telework arrangements;
- (2) The University of Hawaii Economic Research Organization (UHERO) to identify areas of the State that have a combination of lower housing costs and decreased access to high-paying jobs;
- (3) The Hawaii Broadband and Digital Equity Office to analyze the condition of the existing broadband infrastructure in areas of the State that have a combination of lower housing costs and decreased access to high paying jobs; and
- (4) The Department of Human Resources Development to report to the Legislature before the Regular Session of 2025.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Holomua Collaborative; HPM Building Supply; Hawaiian Host Group; Hawai'i Community Foundation; Title Guaranty of Hawaii, LLC; Mana Up; and one individual.

Your Committee received comments on this measure from the Department of Human Resources Development and University of Hawai'i System.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic led to much of the State working remotely full-time, and that even after the COVID-19 pandemic, telecommuting and remote services have remained popular, which has led to renewed interest in strategies to create more sustainable communities through remote work, hybrid work, or telework arrangements. Your Committee further finds that identifying state jobs that are viable prospects for remote work and areas of the State where housing is affordable but high-paying jobs are not readily available, and pairing the identified remote job prospects with the State's local workforce would meaningfully address the State's lack of affordable housing in certain areas, help keep local families in the State, and strengthen community ties. This measure's sample survey will provide valuable insights and best practices towards implementing remote work, hybrid work, or telework arrangements throughout the State.

Your Committee notes the concerns raised in the testimony of the University of Hawaii System that due to UHERO's reliance on donations and contracts for roughly one-half of its budget, taking on new unfunded projects would place UHERO's existing research and projects at risk. The University of Hawaii System further stated that notwithstanding, UHERO is willing to conduct the research requested in this measure and could be most helpful by serving in a consultative role to the Department of Human Resources Development. Therefore, there is a need to amend this measure to address this matter.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language to clarify that the Department of Human Resources Development is requested to collaborate with UHERO to identify areas of the State that have a combination of lower housing costs and decreased access to high-paying jobs, rather than requesting UHERO to perform the task itself; and
- (2) Making 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. 184, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 184, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3487 Labor and Technology on S.R. No. 158

The purpose and intent of this measure is to request:

- (1) The Department of Human Resources Development to conduct a sample survey of organizations in the State within the for-profit, nonprofit, and government sectors that have successfully implemented remote work, hybrid work, or telework arrangements;
- (2) The University of Hawaii Economic Research Organization (UHERO) to identify areas of the State that have a combination of lower housing costs and decreased access to high-paying jobs;
- (3) The Hawaii Broadband and Digital Equity Office to analyze the condition of the existing broadband infrastructure in areas of the State that have a combination of lower housing costs and decreased access to high paying jobs; and
- (4) The Department of Human Resources Development to report to the Legislature before the Regular Session of 2025.

Your Committee received testimony in support of this measure from the Holomua Collaborative; HPM Building Supply; Hawaiian Host Group; Hawai'i Community Foundation; Title Guaranty of Hawaii, LLC; Mana Up; and one individual.

Your Committee received comments on this measure from the Department of Human Resources Development and University of Hawai'i System.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic led to much of the State working remotely full-time, and that even after the COVID-19 pandemic, telecommuting and remote services have remained popular, which has led to renewed interest in strategies to create more sustainable communities through remote work, hybrid work, or telework arrangements. Your Committee further finds that identifying state jobs that are viable prospects for remote work and areas of the State where housing is affordable but high-paying jobs are not readily available, and pairing the identified remote job prospects with the State's local workforce would meaningfully address the State's lack of affordable housing in certain areas, help keep local families in the State, and strengthen community ties. This measure's sample survey will provide valuable insights and best practices towards implementing remote work, hybrid work, or telework arrangements throughout the State.

Your Committee notes the concerns raised in the testimony of the University of Hawaii System that due to UHERO's reliance on donations and contracts for roughly one-half of its budget, taking on new unfunded projects would place UHERO's existing research and projects at risk. The University of Hawaii System further stated that notwithstanding, UHERO is willing to conduct the research requested in this measure and could be most helpful by serving in a consultative role to the Department of Human Resources Development. Therefore, there is a need to amend this measure to address this matter.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language to clarify that the Department of Human Resources Development is requested to collaborate with UHERO to identify areas of the State that have a combination of lower housing costs and decreased access to high-paying jobs, rather than requesting UHERO to perform the task itself; and
- (2) Making 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. 158, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 158, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Ihara, Fevella).

SCRep. 3488 Labor and Technology on S.C.R. No. 33

The purpose and intent of this measure is to request the Department of Labor and Industrial Relations to convene an Interagency Enforcement Task Force to combat the underground economy and employee misclassification in the State.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Pacific Resource Partnership, Hawaii Regional Council of Carpenters, and Hawai'i State AFL-CIO.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the "underground economy" refers to those individuals and businesses that utilize schemes to conceal or misrepresent their employee population to avoid one or more of their employer responsibilities related to wages, payroll taxes, insurance, licensing, safety, or other regulatory requirements, including other activities such as tax evasion, payroll fraud, under-the-table work, and wage theft. Your Committee further finds that it is critical to ensure that the State has a unified strategy and approach toward protecting the State's economy, its workers, and its businesses from an illegal underground economy. This measure's Interagency Task Force will assist in ensuring safe working conditions and proper payment of wages for workers, creating an environment where legitimate businesses can thrive, and supporting the collection of all taxes, fees, and penalties due from employers.

Your Committee acknowledges that the task force requested to be convened by this measure will not have enforcement authority, and therefore, the term "Interagency Enforcement Task Force" may be misleading. Your Committee also notes testimony requesting that the scope of the task force be narrowed to the construction industry, where most of the employee misclassification is occurring. Your Committee further notes requests made during the public hearing for this measure to include the Insurance Commissioner or the Commissioner's designee as a member of the task force, to enable the task force to recommend solutions to prevent workers' compensation premium fraud from being committed by employers who misclassify their employees as independent contractors, thereby avoiding payment of workers' compensation premiums and resulting in increased premiums for other employers who lawfully pay the premiums. Your Committee also notes the request from the Department of the Attorney General that the Attorney General be allowed to have a designee participate in the task force on behalf of the Attorney General, in line with other agency heads listed as members to be invited to serve on the task force. Therefore, there is a need to amend this measure to address these matters.

Accordingly, your Committee has amended this measure by:

- (1) Deleting certain references to the term "enforcement" to clarify that the Interagency Task Force will not be engaging in any enforcement activities;
- (2) Inserting language to narrow the scope of the Interagency Task Force to the State's construction industry;
- (3) Deleting language that would have requested the Interagency Task Force to:
 - (A) Encourage businesses and individuals to identify violators by soliciting information from the public, facilitating the filing of complaints, and enhancing the available mechanisms by which workers can report suspected violations;
 - (B) Work collaboratively with employers, labor, and community groups to diminish the size of the underground economy and reduce the number of employee misclassifications by, among other means, disseminating educational materials regarding the applicable laws, including the legal distinctions between independent contractors and employees, and increasing public awareness of the harm caused by the underground economy and employee misclassification; and

- (C) Work collaboratively with federal, state, and local social services agencies to provide assistance to vulnerable populations that have been exploited by the underground economy and employee misclassification, including but not limited to immigrant workers;
- (4) Inserting language to request the Interagency Task Force to identify the number and types of positions required to restore the capacity of the Department of Labor and Industrial Relations to meaningfully administer applicable existing laws;
- (5) Clarifying that the Director of Labor and Industrial Relations is requested to serve as the chairperson of the Interagency Task Force;
- (6) Inserting language that allows the Attorney General's designee to be invited to serve as a member of the Interagency Task Force on behalf of the Attorney General;
- (7) Inserting language to add the Insurance Commissioner or the Commissioner's designee to be invited to serve as a member of the Interagency Task Force;
- (8) Amending its title to reflect its amended purpose;
- (9) Amending the list of recipients of certified copies to include the Insurance Commissioner; 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 Labor and Technology 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, 3. Noes, none. Excused, 2 (Ihara, Fevella).

SCRep. 3489 Labor and Technology on S.R. No. 22

The purpose and intent of this measure is to request the Department of Labor and Industrial Relations to convene an Interagency Enforcement Task Force to combat the underground economy and employee misclassification in the State.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and Pacific Resource Partnership.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the "underground economy" refers to those individuals and businesses that utilize schemes to conceal or misrepresent their employee population to avoid one or more of their employer responsibilities related to wages, payroll taxes, insurance, licensing, safety, or other regulatory requirements, including other activities such as tax evasion, payroll fraud, under-the-table work, and wage theft. Your Committee further finds that it is critical to ensure that the State has a unified strategy and approach toward protecting the State's economy, its workers, and its businesses from an illegal underground economy. This measure's Interagency Task Force will assist in ensuring safe working conditions and proper payment of wages for workers, creating an environment where legitimate businesses can thrive, and supporting the collection of all taxes, fees, and penalties due from employers.

Your Committee acknowledges that the task force requested to be convened by this measure will not have enforcement authority, and therefore, the term "Interagency Enforcement Task Force" may be misleading. Your Committee also notes testimony requesting that the scope of the task force be narrowed to the construction industry, where most of the employee misclassification is occurring. Your Committee further notes requests made during the public hearing for this measure to include the Insurance Commissioner or the Commissioner's designee as a member of the task force, to enable the task force to recommend solutions to prevent workers' compensation premium fraud from being committed by employers who misclassify their employees as independent contractors, thereby avoiding payment of workers' compensation premiums and resulting in increased premiums for other employers who lawfully pay the premiums. Your Committee also notes the request from the Department of the Attorney General that the Attorney General be allowed to have a designee participate in the task force on behalf of the Attorney General, in line with other agency heads listed as members to be invited to serve on the task force. Therefore, there is a need to amend this measure to address these matters.

Accordingly, your Committee has amended this measure by:

- (1) Deleting certain references to the term "enforcement" to clarify that the Interagency Task Force will not be engaging in any enforcement activities;
- (2) Inserting language to narrow the scope of the Interagency Task Force to the State's construction industry;
- (3) Deleting language that would have requested the Interagency Task Force to:
 - (A) Encourage businesses and individuals to identify violators by soliciting information from the public, facilitating the filing of complaints, and enhancing the available mechanisms by which workers can report suspected violations;
 - (B) Work collaboratively with employers, labor, and community groups to diminish the size of the underground economy and reduce the number of employee misclassifications by, among other means, disseminating educational materials regarding the applicable laws, including the legal distinctions between independent contractors and employees, and increasing public awareness of the harm caused by the underground economy and employee misclassification; and
 - (C) Work collaboratively with federal, state, and local social services agencies to provide assistance to vulnerable populations that have been exploited by the underground economy and employee misclassification, including but not limited to immigrant workers;

- (4) Inserting language to request the Interagency Task Force to identify the number and types of positions required to restore the capacity of the Department of Labor and Industrial Relations to meaningfully administer applicable existing laws;
- (5) Clarifying that the Director of Labor and Industrial Relations is requested to serve as the chairperson of the Interagency Task Force;
- (6) Inserting language that allows the Attorney General's designee to be invited to serve as a member of the Interagency Task Force on behalf of the Attorney General;
- (7) Inserting language to add the Insurance Commissioner or the Commissioner's designee to be invited to serve as a member of the Interagency Task Force;
- (8) Amending its title to reflect its amended purpose;
- (9) Amending the list of recipients of certified copies to include the Insurance Commissioner; 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 Labor and Technology that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 22, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 22, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Ihara, Fevella).

SCRep. 3490 (Joint) Agriculture and Environment and Transportation and Culture and the Arts on S.C.R. No. 138

The purpose and intent of this measure is to request the Hawaii Climate Change Mitigation and Adaption Commission to:

- (1) Develop vehicle miles traveled reduction strategies;
- (2) Recommend a statewide vehicle miles traveled reduction target;
- (3) Recommend benchmarks for, and evaluate progress toward, the vehicle miles traveled reduction target;
- (4) Identify state and county agencies to collaborate and coordinate on the implementation of vehicle miles traveled reduction policies, strategies, and programs; and
- (5) Submit a report of its findings and recommendations to the Legislature before the Regular Session of 2025.

Your Committees received testimony in support of this measure from the Hawaii Climate Change Mitigation and Adaptation Commission, Citizens' Climate Lobby Hawaii, Ulupono Initiative, and one individual.

Your Committees received comments on this measure from the Office of Planning and Sustainable Development.

Your Committees find that although decarbonizing ground transportation is essential for the State to meet its ambitious greenhouse gas reduction goals, current strategies to mitigate vehicle miles traveled in the State are ineffective. The report requested in this measure would provide decision-makers with the information necessary to support and implement practical and efficient solutions that will help the State achieve carbon neutrality by 2045.

Your Committees have amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and 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. 138, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 138, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).
Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3491 (Joint) Agriculture and Environment and Transportation and Culture and the Arts on S.R. No. 119

The purpose and intent of this measure is to request the Hawaii Climate Change Mitigation and Adaption Commission to:

- (1) Develop vehicle miles traveled reduction strategies;
- (2) Recommend a statewide vehicle miles traveled reduction target;
- (3) Recommend benchmarks for, and evaluate progress toward, the vehicle miles traveled reduction target;
- (4) Identify state and county agencies to collaborate and coordinate on the implementation of vehicle miles traveled reduction policies, strategies, and programs; and
- (5) Submit a report of its findings and recommendations to the Legislature before the Regular Session of 2025.

Your Committees received testimony in support of this measure from the Hawaii Climate Change Mitigation and Adaptation Commission and Citizens' Climate Lobby Hawaii.

Your Committees received comments on this measure from the Office of Planning and Sustainable Development.

Your Committees find that although decarbonizing ground transportation is essential for the State to meet its ambitious greenhouse gas reduction goals, current strategies to mitigate vehicle miles traveled in the State are ineffective. The report requested in this measure would provide decision-makers with the information necessary to support and implement practical and efficient solutions that will help the State achieve carbon neutrality by 2045.

Your Committees have amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Transportation and Culture and the Arts that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 119, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 119, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3492 Transportation and Culture and the Arts on S.C.R. No. 1

The purpose and intent of this measure is to recognize the day of the second new moon after the winter solstice of every year as the Lunar New Year in the State.

Your Committee received no testimony on this measure.

Your Committee finds that the Lunar New Year is joyously observed by numerous residents in the State and is celebrated by more than two-thirds of Chinese, Korean, Japanese, and Vietnamese Americans in general. Your Committee further finds that the United States House of Representatives introduced resolutions recognizing the cultural and historical significance of the Lunar New Year in 2021 and 2023; California recognized the Lunar New Year as a state holiday in 2022; and New York recognized the Lunar New Year as a public school holiday in 2023. Your Committee concludes that recognizing the Lunar New Year in Hawaii honors the State's rich cultural history, demonstrates its commitment to cultural diversity, and extends best wishes for peace and prosperity to all who celebrate this important occasion.

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. 1 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3493 Transportation and Culture and the Arts on S.R. No. 1

The purpose and intent of this measure is to recognize the day of the second new moon after the winter solstice of every year as the Lunar New Year in the State.

Your Committee received no testimony on this measure.

Your Committee finds that the Lunar New Year is joyously observed by numerous residents in the State and is celebrated by more than two-thirds of Chinese, Korean, Japanese, and Vietnamese Americans in general. Your Committee further finds that the United States House of Representatives introduced resolutions recognizing the cultural and historical significance of the Lunar New Year in 2021 and 2023; California recognized the Lunar New Year as a state holiday in 2022; and New York recognized the Lunar New Year as a public school holiday in 2023. Your Committee concludes that recognizing the Lunar New Year in Hawaii honors the State's rich cultural history, demonstrates its commitment to cultural diversity, and extends best wishes for peace and prosperity to all who celebrate this important occasion.

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. 1 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3494 Transportation and Culture and the Arts on S.C.R. No. 2

The purpose and intent of this measure is to urge the Legislature to endorse the participation of Taiwan as an observer in the United Nations Framework Convention on Climate Change, International Civil Aviation Organization, World Health Organization, and International Criminal Police Organization; support the further progress on the US-Taiwan Initiative on 21st-Century Trade, a speedy conclusion to this negotiation, and encourage the United States Trade Representative to commence negotiations to enter into a bilateral trade agreement with Taiwan; and support the State of Hawaii's thirty-first anniversary of sister-state relations with Taiwan and commemorate the forty-fifth anniversary of the Taiwan Relations Act.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Taipei Economic and Cultural Office.

Your Committee finds that the United States and the Republic of China, known commonly in the United States as Taiwan, are bonded by a shared commitment to democracy, human rights, the rule of law, and a free market economy. Your Committee further finds that for years, Taiwan supported United States-led efforts to bolster the economic potential of the Indo-Pacific region by defining shared trade objectives among partners and by addressing standards for technology, supply chains, the digital economy, and clean energy. Your Committee concludes that it is critical to strengthen the ties between Taiwan and the United States, by assisting Taiwan on a global stage, developing stronger US-Taiwan trade initiatives, and supporting Hawaii's sister-state relationship with Taiwan.

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 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. 2, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3495 Transportation and Culture and the Arts on S.R. No. 2

The purpose and intent of this measure is to urge the Legislature to endorse the participation of Taiwan as an observer in the United Nations Framework Convention on Climate Change, International Civil Aviation Organization, World Health Organization, and International Criminal Police Organization; support the further progress on the US-Taiwan Initiative on 21st-Century Trade, a speedy conclusion to this negotiation, and encourage the United States Trade Representative to commence negotiations to enter into a bilateral trade agreement with Taiwan; and support the State of Hawaii's thirty-first anniversary of sister-state relations with Taiwan and commemorate the forty-fifth anniversary of the Taiwan Relations Act.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that the United States and the Republic of China, known commonly in the United States as Taiwan, are bonded by a shared commitment to democracy, human rights, the rule of law, and a free market economy. Your Committee further finds that for years, Taiwan supported United States-led efforts to bolster the economic potential of the Indo-Pacific region by defining shared trade objectives among partners and by addressing standards for technology, supply chains, the digital economy, and clean energy. Your Committee concludes that it is critical to strengthen the ties between Taiwan and the United States, by assisting Taiwan on a global stage, developing stronger US-Taiwan trade initiatives, and supporting Hawaii's sister-state relationship with Taiwan.

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 Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 2, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3496 Transportation and Culture and the Arts on S.C.R. No. 63

The purpose and intent of this measure is to request the Department of Transportation to prioritize remediation of the flooding issues present on Route 11 around Mile Post 60 on Hawaii Island as a safety project.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that Route 11 is a portion of Mamalahoa Highway that acts as the main artery into the southern tip of Hawaii Island, and is also the only route that connects the two main towns of the Kau district. Your Committee further finds that the closure of this highway due to flooding poses a major safety issue for the surrounding residents, being their lifeline to medical services and an emergency evacuation route. Your Committee concludes that it is critical for the Department of Transportation to study flood mitigation methods, including but not limited to flood monitoring systems, raising the highway, and installing culverts to prioritize the flooding issues present on Route 11.

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 concurs with the intent and purpose of S.C.R. No. 63, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 63, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3497 Transportation and Culture and the Arts on S.R. No. 51

The purpose and intent of this measure is to request the Department of Transportation to prioritize remediation of the flooding issues present on Route 11 around Mile Post 60 on Hawaii Island as a safety project.

Your Committee received no testimony on this measure.

Your Committee finds that Route 11 is a portion of Mamalahoa Highway that acts as the main artery into the southern tip of Hawaii Island, and is also the only route that connects the two main towns of the Kau district. Your Committee further finds that the closure of this highway due to flooding poses a major safety issue for the surrounding residents, being their lifeline to medical services and an emergency evacuation route. Your Committee concludes that it is critical for the Department of Transportation to study flood mitigation methods, including but not limited to flood monitoring systems, raising the highway, and installing culverts to prioritize the flooding issues present on Route 11.

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 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, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3498 Transportation and Culture and the Arts on S.C.R. No. 85

The purpose and intent of this measure is to urge the Department of Transportation to install speed bumps and speed limit signage along the portion of Kapolei Parkway between Kapolei High School and Kapolei Middle School.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that according to the National Highway Traffic Safety Administration, speeding is involved in nearly one-third of all motor vehicle fatalities in the United States. Your Committee further finds that in Kapolei, speeding is a constant contributing factor in motor vehicle accidents and traffic fatalities. Your Committee concludes that installing speed bumps and speed limit signage along Kapolei Parkway will reduce the number of speeding vehicles on the roadway and protect the residents of Kapolei.

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. 85 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3499 Transportation and Culture and the Arts on S.R. No. 71

The purpose and intent of this measure is to urge the Department of Transportation to install speed bumps and speed limit signage along the portion of Kapolei Parkway between Kapolei High School and Kapolei Middle School.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that according to the National Highway Traffic Safety Administration, speeding is involved in nearly one-third of all motor vehicle fatalities in the United States. Your Committee further finds that in Kapolei, speeding is a constant contributing factor in motor vehicle accidents and traffic fatalities. Your Committee concludes that installing speed bumps and speed limit signage along Kapolei Parkway will reduce the number of speeding vehicles on the roadway and protect the residents of Kapolei.

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. 71 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3500 Agriculture and Environment on S.C.R. No. 151

The purpose and intent of this measure is to request:

- (1) The Office of Planning and Sustainable Development convene a working group to develop recommendations to expand blue carbon initiatives in the State;
- (2) The working group consider certain issues relevant for evaluating the potential of blue carbon projects to enhance the State's climate change mitigation and clean economy goals; and
- (3) The working group submit a report of its findings and recommendations on blue carbon initiatives to the Legislature before the Regular Session of 2025.

Your Committee received testimony in support of this measure from the Democratic Party of Hawai'i and two individuals.

Your Committee received comments on this measure from the Office of Planning and Sustainable Development, Hawaii State Energy Office, CARES, and one individual.

Your Committee finds that certain marine and coastal ecosystems sequester carbon dioxide and that the conservation and restoration of these blue carbon ecosystems have been recognized as effective nature-based solutions for mitigating greenhouse gas emissions. This measure seeks to maximize the benefits of local blue carbon initiatives to help the State meet its climate change mitigation and clean energy economy goals.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee 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, 3. Noes, none. Excused, 2 (DeCoite, Awa).

SCRep. 3501 Agriculture and Environment on S.R. No. 129

The purpose and intent of this measure is to request:

- (1) The Office of Planning and Sustainable Development convene a working group to develop recommendations to expand blue carbon initiatives in the State;
- (2) The working group consider certain issues relevant for evaluating the potential of blue carbon projects to enhance the State's climate change mitigation and clean economy goals; and

- (3) The working group submit a report of its findings and recommendations on blue carbon initiatives to the Legislature before the Regular Session of 2025.

Your Committee received testimony in support of this measure from the Democratic Party of Hawai'i and one individual.

Your Committee received comments on this measure from the Office of Planning and Sustainable Development, Hawaii State Energy Office, and one individual.

Your Committee finds that certain marine and coastal ecosystems sequester carbon dioxide and that the conservation and restoration of these blue carbon ecosystems have been recognized as effective nature-based solutions for mitigating greenhouse gas emissions. This measure seeks to maximize the benefits of local blue carbon initiatives to help the State meet its climate change mitigation and clean energy economy goals.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 129 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (DeCoite, Awa).

SCRep. 3502 Agriculture and Environment on S.C.R. No. 191

The purpose and intent of this measure is to urge the Department of Agriculture (Department) to adopt proposed amendments to chapter 4-72, Hawaii Administrative Rules, that provide important authorities for the Department to prevent the spread of insects, diseases, and other invasive pests within the State.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Coordinating Group on Alien Pest Species, and two individuals.

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

Your Committee finds that the Department has proposed amendments to its administrative rules to prevent the sale of pest-infested merchandise. Your Committee recognizes that horticultural trade is one of the primary pathways through which invasive pests are spread around the State. This measure prevents and slows the spread of invasive pests within the State, thereby protecting the State's agricultural industries, natural resources, consumers, and the public.

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. 191 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (DeCoite, Awa).

SCRep. 3503 Agriculture and Environment on S.R. No. 163

The purpose and intent of this measure is to urge the Department of Agriculture (Department) to adopt proposed amendments to chapter 4-72, Hawaii Administrative Rules, that provide important authorities for the Department to prevent the spread of insects, diseases, and other invasive pests within the State.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Coordinating Group on Alien Pest Species, and one individual.

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

Your Committee finds that the Department has proposed amendments to its administrative rules to prevent the sale of pest-infested merchandise. Your Committee recognizes that horticultural trade is one of the primary pathways through which invasive pests are spread around the State. This measure prevents and slows the spread of invasive pests within the State, thereby protecting the State's agricultural industries, natural resources, consumers, and the public.

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. 163 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (DeCoite, Awa).

SCRep. 3504 Agriculture and Environment on S.C.R. No. 178

The purpose and intent of this measure is to urge the State to:

- (1) Prohibit the introduction of biocontrol agents that might threaten economically important forage grass species; and
- (2) Provide for the protection of Hawaii's rangelands and important forage grass species that sustain beef cattle production through funding policies, initiatives, and directives to state agencies to incentivize livestock grazing for the management of forage grasses and other vegetation on lands managed by the State and private sector that are currently undermanaged.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawaii Cattlemen's Council, Inc.; Larry Jeffs Farms, LLC; PonoHolo Ranch; Hawai'i Farm Bureau, and five individuals.

Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that many forage grasses were intentionally introduced into the State to support the beef cattle industry. Your Committee further finds that these forage grasses also provide important ground cover for the ecology of the State's rangelands. This measure aims to protect local livestock production and the environment of the State by preventing the eradication of these important forage grasses species.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 178 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (DeCoite, Awa).

SCRep. 3505 Agriculture and Environment on S.R. No. 154

The purpose and intent of this measure is to urge the State to:

- (1) Prohibit the introduction of biocontrol agents that might threaten economically important forage grass species; and
- (2) Provide for the protection of Hawaii's rangelands and important forage grass species that sustain beef cattle production through funding policies, initiatives, and directives to state agencies to incentivize livestock grazing for the management of forage grasses and other vegetation on lands managed by the State and private sector that are currently undermanaged.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawaii Cattlemen's Council, Inc.; Larry Jeffs Farms, LLC; PonoHolo Ranch; Hawai'i Farm Bureau, and three individuals.

Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources.

Your Committee finds that many forage grasses were intentionally introduced into the State to support the beef cattle industry. Your Committee further finds that these forage grasses also provide important ground cover for the ecology of the State's rangelands. This measure aims to protect local livestock production and the environment of the State by preventing the eradication of these important forage grasses species.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 154 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (DeCoite, Awa).

SCRep. 3506 Transportation and Culture and the Arts on S.C.R. No. 139

The purpose and intent of this measure is to request a task force be convened to examine successful public mass transit projects in appropriate cities and countries and develop options to reduce costs and return increased value to Hawaii residents from funds made available by the State for public mass transit.

Your Committee received testimony in support of this measure from the Hawai'i Appleseed Center for Law and Economic Justice, Hawai'i Bicycling League, Ulupono Initiative, and one individual.

Your Committee finds that public transit is important because it has been proven to reduce the cost of transit for taxpayers, reduce the cost of transit for commuters, reduce traffic, reduce greenhouse gas emissions, increase efficiency, increase access to new areas in the urban core for housing and mixed use communities, and increase jobs. Your Committee further finds that Hawaii has appropriated funds for public mass transit projects such as the City and County of Honolulu's Skyline project through the general excise tax, approximately two-thirds of which is paid for by the general public, and approximately one-third of which is paid for by visitors to Hawaii. Your Committee concludes that a task force to study cost reduction is vital for future public transit projects to help reduce costs and increase the value to residents from funds made available by 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. 139 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3507 Transportation and Culture and the Arts on S.R. No. 120

The purpose and intent of this measure is to request a task force be convened to examine successful public mass transit projects in appropriate cities and countries and develop options to reduce costs and return increased value to Hawaii residents from funds made available by the State for public mass transit.

Your Committee received no testimony on this measure.

Your Committee finds that public transit is important because it has been proven to reduce the cost of transit for taxpayers, reduce the cost of transit for commuters, reduce traffic, reduce greenhouse gas emissions, increase efficiency, increase access to new areas in the urban core for housing and mixed use communities, and increase jobs. Your Committee further finds that Hawaii has appropriated funds for public mass transit projects such as the City and County of Honolulu's Skyline project through the general excise tax, approximately two-thirds of which is paid for by the general public, and approximately one-third of which is paid for by visitors to Hawaii. Your Committee concludes that a task force to study cost reduction is vital for future public transit projects to help reduce costs and increase the value to residents from funds made available by 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. 120 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3508 Transportation and Culture and the Arts on S.C.R. No. 147

The purpose and intent of this measure is to request the State to begin planning to collaborate with partners in Japan to appropriately recognize the eightieth anniversary of the end of World War II, including the atomic bombings and lives lost in Japan and Hawaii throughout the war, and reaffirm a commitment to ensuring these tragedies are never repeated.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts and Japanese Cultural Center.

Your Committee finds that August 2025 will mark the eightieth anniversary of the atomic bombings in Hiroshima and Nagasaki as well as the conclusion of World War II in the Pacific. Your Committee further finds that during World War II, Hawaii and Japan lost countless lives in the attacks on Pearl Harbor, the atomic bombings, and in battles throughout the Pacific theater and around the world. Your Committee concludes that properly recognizing and honoring the lives lost in World War II, particularly at the anniversary of the bombings of Hiroshima and Nagasaki, will reaffirm the lessons learned from these tragedies, strengthen mutual respect and understanding between our people, and reaffirm the deep friendship between Japan and Hawaii for new and future generations.

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. 147 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3509 Transportation and Culture and the Arts on S.R. No. 125

The purpose and intent of this measure is to request the State to begin planning to collaborate with partners in Japan to appropriately recognize the eightieth anniversary of the end of World War II, including the atomic bombings and lives lost in Japan and Hawaii throughout the war, and reaffirm a commitment to ensuring these tragedies are never repeated.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts and Japanese Cultural Center.

Your Committee finds that August 2025 will mark the eightieth anniversary of the atomic bombings in Hiroshima and Nagasaki as well as the conclusion of World War II in the Pacific. Your Committee further finds that during World War II, Hawaii and Japan lost countless lives in the attacks on Pearl Harbor, the atomic bombings, and in battles throughout the Pacific theater and around the world. Your Committee concludes that properly recognizing and honoring the lives lost in World War II, particularly at the anniversary of the bombings of Hiroshima and Nagasaki, will reaffirm the lessons learned from these tragedies, strengthen mutual respect and understanding between our people, and reaffirm the deep friendship between Japan and Hawaii for new and future generations.

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. 125 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3510 Transportation and Culture and the Arts on S.C.R. No. 148

The purpose and intent of this measure is to urge the State Foundation on Culture and the Arts to convene a task force to develop art, branding, and narratives for an appropriate selection of Hawaii's unique communities, landmarks, parks, and other similar areas.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts.

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

Your Committee finds that the National Park Service has branded national parks with consistent theming and unique art that reflects each community and location, enabling them to establish a narrative, empower local artists, and sell merchandise to raise revenue for each location. Your Committee further finds that private companies are taking advantage of Hawaii and selling merchandise for profit, which does not always reflect the places, people, and culture that they are branding and merchandising. Your Committee concludes that the State should develop its own branding for key parks and areas throughout the State to preserve the character, values, perception, and culture that best reflects these places.

Your Committee has amended this measure by:

- (1) Adding a member to the task force with specialized expertise to act in a cultural advisory capacity; 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 concurs with the intent and purpose of S.C.R. No. 148, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 148, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3511 Transportation and Culture and the Arts on S.R. No. 126

The purpose and intent of this measure is to urge the State Foundation on Culture and the Arts to convene a task force to develop art, branding, and narratives for an appropriate selection of Hawaii's unique communities, landmarks, parks, and other similar areas.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts.

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

Your Committee finds that the National Park Service has branded national parks with consistent theming and unique art that reflects each community and location, enabling them to establish a narrative, empower local artists, and sell merchandise to raise revenue for each location. Your Committee further finds that private companies are taking advantage of Hawaii and selling merchandise for profit, which does not always reflect the places, people, and culture that they are branding and merchandising. Your Committee concludes that the State should develop its own branding for key parks and areas throughout the State to preserve the character, values, perception, and culture that best reflects these places.

Your Committee has amended this measure by:

- (1) Adding a member to the task force with specialized expertise to act in a cultural advisory capacity; 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 concurs with the intent and purpose of S.R. No. 126, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 126, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3512 Transportation and Culture and the Arts on S.C.R. No. 165

The purpose and intent of this measure is to request the Department of Transportation to study the feasibility of bringing additional airlines to the island of Molokai.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, one member of the Maui County Council, and one individual.

Your Committee finds that since January 2021, only one passenger airline has provided service to the general public out of Molokai Airport. Your Committee further finds that 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. This lack of dependable, accessible flights to major hubs such as Honolulu can potentially lead to health and safety issues for residents of rural communities. Your Committee concludes that by conducting a study, the State can gain valuable insights into the potential benefits and challenges of introducing additional airlines to Molokai.

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. 165 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3513 Transportation and Culture and the Arts on S.R. No. 139

The purpose and intent of this measure is to request the Department of Transportation to study the feasibility of bringing additional airlines to the island of Molokai.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, one member of the Maui County Council, and Arc of Maui County.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that since January 2021, only one passenger airline has provided service to the general public out of Molokai Airport. Your Committee further finds that 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. This lack of dependable, accessible flights to major hubs such as Honolulu can potentially lead to health and safety issues for residents of rural communities. Your Committee concludes that by conducting a study, the State can gain valuable insights into the potential benefits and challenges of introducing additional airlines to Molokai.

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. 139 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3514 Transportation and Culture and the Arts on S.C.R. No. 99

The purpose and intent of this measure is to request the United States Department of Transportation to conduct an investigation into the safety of the bridges along the Hana Highway.

Your Committee received testimony in support of this measure from one member of the Maui County Council.

Your Committee finds that Hana Highway is one of the most congested routes in the State, with recent estimates between one thousand five hundred and two thousand rental cars and up to one hundred multi-passenger tour vehicles on the route every day. Your Committee further finds that the popularity among tourists brings problems such as interfering with resident's ingress and egress, harmful interactions with marine life, trespassing on off-limits locations, and illegal parking in an unsafe manner. Your Committee concludes that it is therefore critical to investigate the safety of the bridges along Hana Highway.

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. 99 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3515 Commerce and Consumer Protection on S.C.R. No. 158

The purpose and intent of this measure is to request the Department of Taxation to conduct a study on disallowing the dividends paid deduction for real estate investment trusts (REITs).

Your Committee received comments on this measure from the Department of Taxation, Land Use Research Foundation of Hawaii, Hawai'i Association of REALTORS, and Nareit Hawaii.

Your Committee finds that REITs own more real estate in Hawaii per capita than in any other state. Your Committee also finds that existing state law conforms to the provisions of the Internal Revenue Code that allow dividends paid deductions for REITs. Accordingly, when REITs conduct business in Hawaii and pay dividends to shareholders who live outside the State, no Hawaii income tax is collected, because shareholders pay tax on dividends to the state in which they reside and not where the income was generated. Your Committee believes that the dividends paid deductions for REITs may be negatively affecting the State's income tax collections, since a substantial majority of shareholders of Hawaii REITs reside outside of the State and pay tax on the dividends to their home states. Your Committee finds however, that while the State may lose out on certain income taxes because of the tax code, the capital expenditures, jobs, and other investments made by REITs to develop properties in the State likely result in many other tangible benefits for Hawaii residents. Your Committee finds that regulating and taxing REITs requires a careful and objective approach, and therefore, this measure requests that a study be conducted to determine the impacts of disallowing dividends paid deductions for REITs.

Your Committee has amended this measure by:

- (1) Inserting language that requests the requested study to:
 - (A) Be conducted by tax revenue experts and economists;
 - (B) Analyze REIT investments in Hawaii across ten asset classes (tower, industrial, retail, self-storage, lodging and resort, office, health care, specialty, residential, and mixed-use sectors), including affordable residential, student housing, telecommunications infrastructure, and health care facilities;
 - (C) Compare the loss of general excise taxes collected from hotels owned by REITs to any potential increase in corporate income tax revenues collected by the State;
 - (D) Show any potential tax revenue gains of REIT owners netted against the losses they incurred during the coronavirus disease 2019 (COVID-19) pandemic;
 - (E) Examine overall capital expenditures made in Hawaii by REITs during the COVID-19 pandemic as compared to the capital expenditures made by non-REIT owners, and any impact on the general excise taxes collected and construction jobs generated for the State;
 - (F) Identify expected REIT projects and their potential impact on general excise taxes and corporate income taxes to be collected by the State, as well as any loss of revenues, construction, and other jobs, if REITs withdraw from those projects; and
 - (G) Include a comparison of the investments made in Hawaii of long-term REIT owners versus non-REIT owners that acquire and sell properties as a business model; and
- (2) Making 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. 158, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 158, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

SCRep. 3516 Agriculture and Environment on S.C.R. No. 192

The purpose and intent of this measure is to request the Office of the Auditor to:

- (1) Conduct a performance audit of the Department of Agriculture's Plant Industry Division; and
- (2) Submit a report of their findings and recommendations to the Legislature before the Regular Session of 2025.

Your Committee received testimony in support of this measure from two individuals.

Your Committee received comments on this measure from the Department of Agriculture and Office of the Auditor.

Your Committee finds that the State's mandated biosecurity program is delivered by the Plant Quarantine Branch within the Department of Agriculture's Plant Industry Division. Your Committee further finds that the Plant Pest Control Branch, also within the Department of Agriculture's Plant Industry Division, has been utilizing staff and operational capacity from the Plant Quarantine Branch to carry out its duties. Your Committee recognizes that additional resources are essential for the Department of Agriculture to fully meet its obligations to protect the State from invasive species. The performance audit requested in this measure will provide the information necessary for decision-makers to allocate the resources necessary to strengthen the State's biosecurity system and mitigate risks associated with invasive species.

Your Committee further recognizes that the Auditor has the duty to conduct postaudits of agency transactions, accounts, programs, and performance pursuant to section 23-4, Hawaii Revised Statutes. Your Committee acknowledges the concerns raised by the Auditor that the scope of the audit requested by this measure is not only broad and undefined, but also includes the evaluation of operational capacity, which is beyond the Auditor's purview. Therefore, this measure needs to be amended to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Narrowing the scope of the performance audit requested to apply to the Plant Pest Control Branch and Plant Quarantine Branch, rather than the entire Plant Industry Division;
- (2) Deleting language that requested the performance audit to include:
 - (A) Follow-ups to:
 - (i) Report No. 17-05, entitled "Audit of Hawai'i Department of Agriculture's Plant Quarantine Branch"; and
 - (ii) Report No. 20-21, entitled "Follow Up on Recommendations from Report No. 17-05, Audit of Hawai'i Department of Agriculture's Plant Quarantine Branch";
 - (B) Reports on the implementation status of the action items of the Hawaii Interagency Biosecurity Plan; and
 - (C) An evaluation of the true operational capacity of the Department of Agriculture to achieve its assigned action items established in the Hawaii Interagency Biosecurity Plan,

and replacing it with language that identifies specific programs and activities within the Plant Pest Control Branch and Plant Quarantine Branch to be audited by the Office of the Auditor;
- (3) Deleting references to the Hawaii Interagency Biosecurity Plan;
- (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 Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 192, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 192, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (DeCoite, Awa).

SCRep. 3517 Agriculture and Environment on S.R. No. 164

The purpose and intent of this measure is to request the Office of the Auditor to:

- (1) Conduct a performance audit of the Department of Agriculture's Plant Industry Division; and
- (2) Submit a report of their findings and recommendations to the Legislature before the Regular Session of 2025.

Your Committee received comments on this measure from the Department of Agriculture and Office of the Auditor.

Your Committee finds that the State's mandated biosecurity program is delivered by the Plant Quarantine Branch within the Department of Agriculture's Plant Industry Division. Your Committee further finds that the Plant Pest Control Branch, also within the Department of Agriculture's Plant Industry Division, has been utilizing staff and operational capacity from the Plant Quarantine Branch to carry out its duties. Your Committee recognizes that additional resources are essential for the Department of Agriculture to fully meet its obligations to protect the State from invasive species. The performance audit requested in this measure will provide the information necessary for decision-makers to allocate the resources necessary to strengthen the State's biosecurity system and mitigate risks associated with invasive species.

Your Committee further recognizes that the Auditor has the duty to conduct postaudits of agency transactions, accounts, programs, and performance pursuant to section 23-4, Hawaii Revised Statutes. Your Committee acknowledges the concerns raised by the Auditor that the scope of the audit requested by this measure is not only broad and undefined, but also includes the evaluation of operational capacity, which is beyond the Auditor's purview. Therefore, this measure needs to be amended to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Narrowing the scope of the performance audit requested to apply to the Plant Pest Control Branch and Plant Quarantine Branch, rather than the entire Plant Industry Division;
- (2) Deleting language that requested the performance audit to include:
 - (A) Follow-ups to:
 - (i) Report No. 17-05, entitled "Audit of Hawai'i Department of Agriculture's Plant Quarantine Branch"; and

- (ii) Report No. 20-21, entitled "Follow Up on Recommendations from Report No. 17-05, Audit of Hawai'i Department of Agriculture's Plant Quarantine Branch";

(B) Reports on the implementation status of the action items of the Hawaii Interagency Biosecurity Plan; and

- (C) An evaluation of the true operational capacity of the Department of Agriculture to achieve its assigned action items established in the Hawaii Interagency Biosecurity Plan,

and replacing it with language that identifies specific programs and activities within the Plant Pest Control Branch and Plant Quarantine Branch to be audited by the Office of the Auditor;

- (3) Deleting references to the Hawaii Interagency Biosecurity Plan;
- (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 Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 164, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 164, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (DeCoite, Awa).

SCRep. 3518 Agriculture and Environment on S.C.R. No. 52

The purpose and intent of this measure is to request the Board of Agriculture to:

- (1) Conduct a study of the percentages of agricultural lands being leased by the State that are suitable for farming and actively being used for farming purposes;
- (2) Determine certain dollar amounts for each agricultural lease transferred from one lessee to another lessee; and
- (3) Submit a report to the Legislature before the Regular Session of 2025.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau and two individuals.

Your Committee received testimony in opposition to this measure from the Department of Agriculture.

Your Committee finds that accurate data on public agricultural lands, especially those that are leased, is vital to optimize public and private investments in agriculture to meet the State's local food production and agricultural sustainability goals. This measure will ensure that public, productive agricultural lands remain in agricultural use.

Your Committee has amended this measure by amending the date for the Board of Agriculture to submit a report to the Legislature from before the Regular Session of 2025 to before the Regular Session of 2027.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee 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, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3519 Agriculture and Environment on S.R. No. 40

The purpose and intent of this measure is to request the Board of Agriculture to:

- (1) Conduct a study of the percentages of agricultural lands being leased by the State that are suitable for farming and actively being used for farming purposes;
- (2) Determine certain dollar amounts for each agricultural lease transferred from one lessee to another lessee; and
- (3) Submit a report to the Legislature before the Regular Session of 2025.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau and one individual.

Your Committee received testimony in opposition to this measure from the Department of Agriculture.

Your Committee finds that accurate data on public agricultural lands, especially those that are leased, is vital to optimize public and private investments in agriculture to meet the State's local food production and agricultural sustainability goals. This measure will ensure that public, productive agricultural lands remain in agricultural use.

Your Committee has amended this measure by amending the date for the Board of Agriculture to submit a report to the Legislature from before the Regular Session of 2025 to before the Regular Session of 2027.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 40, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 40, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3520 Agriculture and Environment on S.C.R. No. 53

The purpose and intent of this measure is to request that the Department of Agriculture establish an advisory commission to address certain issues to guide action and progress in the agriculture, aquaculture, and food systems industries of the State.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau and two individuals.

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

Your Committee finds that it is the policy of the State to establish a clear direction for Hawaii's economy with regard to agriculture through stakeholder commitment and advocacy to achieve the State's agricultural objectives pursuant to section 226-7, Hawaii Revised Statutes. Your Committee recognizes that an advisory commission can increase communication; provide expert and credible guidance; and engage strategic partnerships between the State's private sectors, community leaders, and relevant stakeholders. The advisory commission requested in this measure will support the State's desired increase in exports and local food production, as well as its overarching goal of creating a sustainable local economy.

According to testimony received by your Committee, not only should the composition of the advisory commission adequately represent the diversity of the State's agricultural industry, but the advisory commission should also meet more frequently to ensure that the myriad of issues that the industry faces are adequately addressed. Your Committee further finds that this measure does not specify the entity to which the advisory commission should submit its recommendations. Accordingly, this measure needs to be amended to address these concerns.

Your Committee has amended this measure by:

- (1) Amending the number of times that the advisory commission is requested to meet from twice a year to quarterly;
- (2) Adding representatives from the following segments of agriculture to be invited to serve on the advisory commission:
 - (A) Livestock;
 - (B) Nursery and floriculture;
 - (C) Herbs, such as basil, cilantro, lavender, and turmeric;
 - (D) Eggs;
 - (E) Coffee; and
 - (F) Seed corn;
- (3) Requesting that the advisory commission submit its findings and recommendations to the Board of Agriculture; 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 concurs with the intent and purpose of S.C.R. No. 53, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 53, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3521 Agriculture and Environment on S.R. No. 41

The purpose and intent of this measure is to request that the Department of Agriculture establish an advisory commission to address certain issues to guide action and progress in the agriculture, aquaculture, and food systems industries of the State.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau and one individual.

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

Your Committee finds that it is the policy of the State to establish a clear direction for Hawaii's economy with regard to agriculture through stakeholder commitment and advocacy to achieve the State's agricultural objectives pursuant to section 226-7, Hawaii Revised Statutes. Your Committee recognizes that an advisory commission can increase communication; provide expert and credible guidance; and engage strategic partnerships between the State's private sectors, community leaders, and relevant stakeholders. The advisory commission requested in this measure will support the State's desired increase in exports and local food production, as well as its overarching goal of creating a sustainable local economy.

According to testimony received by your Committee, not only should the composition of the advisory commission adequately represent the diversity of the State's agricultural industry, but the advisory commission should also meet more frequently to ensure that the myriad of issues that the industry faces are adequately addressed. Your Committee further finds that this measure does not specify the entity to which the advisory commission should submit its recommendations. Accordingly, this measure needs to be amended to address these concerns.

Your Committee has amended this measure by:

- (1) Amending the number of times that the advisory commission is requested to meet from twice a year to quarterly;
- (2) Adding representatives from the following segments of agriculture to be invited to serve on the advisory commission:
 - (A) Livestock;
 - (B) Nursery and floriculture;

- (C) Herbs, such as basil, cilantro, lavender, and turmeric;
 - (D) Eggs;
 - (E) Coffee; and
 - (F) Seed corn;
- (3) Requesting that the advisory commission submit its findings and recommendations to the Board of Agriculture; 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 concurs with the intent and purpose of S.R. No. 41, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 41, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3522 Housing on S.C.R. No. 217

The purpose and intent of this measure is to urge the Federal Emergency Management Agency to utilize funds for non-congregate housing for infrastructure and development needs for affordable rental housing.

Your Committee received testimony in support of this measure from one member of the Maui County Council.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the repopulation of the areas affected by the August 2023 Maui wildfires and the redevelopment of permanent affordable housing is estimated to take many years. Your Committee further finds that meeting the needs for additional interim housing solutions is critical to ensure flexibility in keeping communities together when the Federal Emergency Management Agency's rental assistance expires in 2025. Therefore, this measure requests the Federal Emergency Management Agency to use funds to develop infrastructure to meet the long-term housing needs of residents displaced by the August 2023 Maui wildfires.

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. 217 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Aquino, Awa).

SCRep. 3523 Housing on S.R. No. 193

The purpose and intent of this measure is to urge the Federal Emergency Management Agency to utilize funds for non-congregate housing for infrastructure and development needs for affordable rental housing.

Your Committee received testimony in support of this measure from one member of the Maui County Council.

Your Committee finds that the repopulation of the areas affected by the August 2023 Maui wildfires and the redevelopment of permanent affordable housing is estimated to take many years. Your Committee further finds that meeting the needs for additional interim housing solutions is critical to ensure flexibility in keeping communities together when the Federal Emergency Management Agency's rental assistance expires in 2025. Therefore, this measure requests the Federal Emergency Management Agency to use funds to develop infrastructure to meet the long-term housing needs of residents displaced by the August 2023 Maui wildfires.

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. 193 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Aquino, Awa).

SCRep. 3524 Housing on S.C.R. No. 226

The purpose and intent of this measure is to request the Governor, in collaboration with the County of Maui, to provide a clear strategy for addressing the short- and long-term housing needs for residents displaced by the August 2023 Maui wildfires.

Your Committee received testimony in support of this measure from one individual.

Your Committee received comments on this measure from the Office of the Governor and Hawaii Public Housing Authority.

Your Committee finds that the August 2023 Maui wildfires displaced an estimated one thousand six hundred renters from their homes. Your Committee further finds that there are significant differing housing needs for displaced residents and meeting the need for additional affordable rental housing is critical to ensure that residents have access to housing when federal aid subsides. Therefore, this measure requests a clear strategy to be provided, detailing how the Governor and the County of Maui plan to meet the housing needs of the residents of Maui.

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. 226 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Aquino, Awa).

SCRep. 3525 Housing on S.R. No. 202

The purpose and intent of this measure is to request the Governor, in collaboration with the County of Maui, to provide a clear strategy for addressing the short- and long-term housing needs for residents displaced by the August 2023 Maui wildfires.

Your Committee received comments on this measure from the Office of the Governor and Hawaii Public Housing Authority.

Your Committee finds that the August 2023 Maui wildfires displaced an estimated one thousand six hundred renters from their homes. Your Committee further finds that there are significant differing housing needs for displaced residents and meeting the need for additional affordable rental housing is critical to ensure that residents have access to housing when federal aid subsides. Therefore, this measure requests a clear strategy to be provided, detailing how the Governor and the County of Maui plan to meet the housing needs of the residents of Maui.

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. 202 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Aquino, Awa).

SCRep. 3526 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 54

The purpose and intent of this measure is to direct the Hawaii Emergency Management Agency to submit a hazard mitigation assistance grant request or pre-disaster mitigation program grant request to the Federal Emergency Management Agency for rockfall mitigation in Moanalua Gardens and Moanalua Valley, Oahu, under the Tripler Army Medical Center hillside.

Your Committee received testimony in support of this measure from two individuals.

Your Committee finds that on Oahu, the Moanalua Gardens and Moanalua Valley communities are considered a high-risk zone for landslides and rockfalls. Your Committee further finds that the United States Army Corps of Engineers has previously conducted rockfall mitigation projects on surrounding hillsides in Moanalua Gardens and Moanalua Valley since certain hillsides in the region are owned by the federal government. Your Committee concludes that while the Hawaii Emergency Management Agency is responsible for planning for and responding to natural and human-caused emergencies in the State, a partnership with the Federal Emergency Management Agency is necessary to protect the Moanalua Gardens and Moanalua Valley communities from landslides and rock falls.

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. 54, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 54, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3527 Public Safety and Intergovernmental and Military Affairs on S.R. No. 43

The purpose and intent of this measure is to direct the Hawaii Emergency Management Agency to submit a hazard mitigation assistance grant request or pre-disaster mitigation program grant request to the Federal Emergency Management Agency for rockfall mitigation in Moanalua Gardens and Moanalua Valley, Oahu, under the Tripler Army Medical Center hillside.

Your Committee received no testimony on this measure.

Your Committee finds that on Oahu, the Moanalua Gardens and Moanalua Valley communities are considered a high-risk zone for landslides and rockfalls. Your Committee further finds that the United States Army Corps of Engineers has previously conducted rockfall mitigation projects on surrounding hillsides in Moanalua Gardens and Moanalua Valley since certain hillsides in the region are owned by the federal government. Your Committee concludes that while the Hawaii Emergency Management Agency is responsible for planning for and responding to natural and human-caused emergencies in the State, a partnership with the Federal Emergency Management Agency is necessary to protect the Moanalua Gardens and Moanalua Valley communities from landslides and rock falls.

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. 43, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 43, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3528 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 104

The purpose and intent of this measure is to urge the State, City and County of Honolulu, and United States military to coordinate and address the issue of illegal dumping within Waipahu and the surrounding communities of Ewa, Pearl City, and Aiea on Oahu.

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

Your Committee finds that illegal dumping has long plagued Waipahu, Oahu, particularly the area along the West Loch bike path from Waipahu to Aiea, where shopping carts clutter drainage ditches. Your Committee further finds that illegal dumping has created a hazardous environment impacting Waipahu's and surrounding communities' natural habitats and residents, and immediate interventions

are essential to mitigate harm, restore ecosystems, and safeguard the health and well-being of the community. Your Committee concludes that urgent action is necessary to mitigate risks, protect the environment, and ensure the well-being of communities through education, enforcement, and community involvement.

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. 104, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 104, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3529 Public Safety and Intergovernmental and Military Affairs on S.R. No. 86

The purpose and intent of this measure is to urge the State, City and County of Honolulu, and United States military to coordinate and address the issue of illegal dumping within Waipahu and the surrounding communities of Ewa, Pearl City, and Aiea on Oahu.

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

Your Committee finds that illegal dumping has long plagued Waipahu, Oahu, particularly the area along the West Loch bike path from Waipahu to Aiea, where shopping carts clutter drainage ditches. Your Committee further finds that illegal dumping has created a hazardous environment impacting Waipahu's and surrounding communities' natural habitats and residents, and immediate interventions are essential to mitigate harm, restore ecosystems, and safeguard the health and well-being of the community. Your Committee concludes that urgent action is necessary to mitigate risks, protect the environment, and ensure the well-being of communities through education, enforcement, and community involvement.

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. 86, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 86, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3530 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 70

The purpose and intent of this measure is to request the Hawaii Emergency Management Agency to install a new emergency siren near the intersection of Aumakua Street and Auuhuhu Street in upper Pacific Palisades.

Your Committee received testimony in support of this measure from the Pearl City Neighborhood Board No. 21 and one individual.

Your Committee finds that the lack of audible, functioning sirens in the Pacific Palisades may create a public safety concern in the event of a critical public emergency. Your Committee further finds that residents living in the Pacific Palisades area assert that they are unable to hear the emergency siren located at Pearl City High School. Additionally, the emergency siren at Palisades Elementary School has been inoperable for several years. Your Committee concludes that a new emergency siren is needed in the upper Pacific Palisades area to keep residents alerted to all civil defense emergencies in a timely manner to take any necessary safety measures.

Your Committee has amended this measure by:

- (1) Adding language to urge the Hawaii Emergency Management Agency make the installation of an emergency siren in Pacific Palisades a top priority; and
- (2) Making 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. 70, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 70, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3531 Public Safety and Intergovernmental and Military Affairs on S.R. No. 58

The purpose and intent of this measure is to request the Hawaii Emergency Management Agency to install a new emergency siren near the intersection of Aumakua Street and Auuhuhu Street in upper Pacific Palisades.

Your Committee received testimony in support of this measure from the Pearl City Neighborhood Board No. 21.

Your Committee finds that the lack of audible, functioning sirens in the Pacific Palisades may create a public safety concern in the event of a critical public emergency. Your Committee further finds that residents living in the Pacific Palisades area assert that they are unable to hear the emergency siren located at Pearl City High School. Additionally, the emergency siren at Palisades Elementary School has been inoperable for several years. Your Committee concludes that a new emergency siren is needed in the upper Pacific Palisades area to keep residents alerted to all civil defense emergencies in a timely manner to take any necessary safety measures.

Your Committee has amended this measure by:

- (1) Adding language to urge the Hawaii Emergency Management Agency make the installation of an emergency siren in Pacific Palisades a top priority; and
- (2) Making 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. 58, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 58, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3532 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 84

The purpose and intent of this measure is to request the Department of Law Enforcement to convene a Search and Rescue Working Group to develop and make recommendations to deter hikers from entering illegal hiking trails and to address rising search and rescue costs facing the State and counties due to increased illegal hiking traffic.

Your Committee received testimony in support of this measure from the Department of Law Enforcement and three individuals.

Your Committee finds that the coronavirus disease 2019 pandemic has increased outdoor activity around the world, specifically hiking in Hawaii. Your Committee further finds that some individuals and groups unlawfully enter trails that have been closed to the public due to safety concerns, ultimately putting themselves at risk of significant injury and risking damage to native habitats and other natural resources that may be in those closed areas for preservation purposes. Your Committee concludes that because of the considerable costs associated with the search and rescue of individuals who wilfully disregard their and others' safety by ignoring warning signs, it is critical to develop policies that encourage public safety and 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 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. 84, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 84, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3533 Public Safety and Intergovernmental and Military Affairs on S.R. No. 70

The purpose and intent of this measure is to request the Department of Law Enforcement to convene a Search and Rescue Working Group to develop and make recommendations to deter hikers from entering illegal hiking trails and to address rising search and rescue costs facing the State and counties due to increased illegal hiking traffic.

Your Committee received testimony in support of this measure from the Department of Law Enforcement and two individuals.

Your Committee finds that the coronavirus disease 2019 pandemic has increased outdoor activity around the world, specifically hiking in Hawaii. Your Committee further finds that some individuals and groups unlawfully enter trails that have been closed to the public due to safety concerns, ultimately putting themselves at risk of significant injury and risking damage to native habitats and other natural resources that may be in those closed areas for preservation purposes. Your Committee concludes that because of the considerable costs associated with the search and rescue of individuals who wilfully disregard their and others' safety by ignoring warning signs, it is critical to develop policies that encourage public safety and 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 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. 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, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3534 (Joint) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 25

The purpose and intent of this measure is to encourage the Department of Transportation and the Department of Transportation Services of the City and County of Honolulu to expand the Red-Light Safety Program to Windward, Leeward, and Central Oahu.

Your Committees received testimony in support of this measure from the Department of Transportation, Pearl City Neighborhood Board No. 21, and one individual.

Your Committees find that federal data suggests that automated traffic enforcement can reduce the costs of enforcement, lessen the danger of enforcement for police officers, and increase the awareness of drivers that there are consequences for violating traffic laws. Your Committees further find that as of February 2023, the current iteration of the Red-Light Safety Program has issued nine hundred forty-six citations at the five intersections at which it currently operates in urban Honolulu. Your Committees conclude that expansion of the Red-Light Safety Program to Windward, Leeward, and Central Oahu may also reduce crashes and injuries outside of Honolulu's urban core.

Your Committees have amended this measure by:

- (1) Requesting the Department of Transportation and the Department of Transportation Services of the City and County of Honolulu to expand the Red-Light Safety Program generally, rather than specifically, to Windward, Leeward, and Central Oahu;
- (2) Amending the title in accordance with 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 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. 25, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 25, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Awa).

SCRep. 3535 (Joint) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 116

The purpose and intent of this measure is to urge the Department of Transportation to work with the City and County of Honolulu to plan and implement options for alternative ingress and egress routes in Pacific Palisades.

Your Committees received testimony in support of this measure from the Pearl City Neighborhood Board No. 21 and two individuals.

Your Committees find that Pacific Palisades is extremely vulnerable to natural disasters such as hurricane high winds and flash flooding. Your Committees further find that Pacific Palisades is built on a plateau above the main portion of Pearl City and the only access road to the area is Komo Mai Drive, a one lane, winding, steep road with a hairpin turn at the base of the Palisades. Your Committees conclude that because Pacific Palisades only has one route for ingress and egress, additional options for alternative access routes are needed so the community is prepared in case of emergency.

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. 116 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Awa).

SCRep. 3536 (Joint) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on S.R. No. 99

The purpose and intent of this measure is to urge the Department of Transportation to work with the City and County of Honolulu to plan and implement options for alternative ingress and egress routes in Pacific Palisades.

Your Committee received testimony in support of this measure from the Pearl City Neighborhood Board No. 21 and one individual.

Your Committees find that Pacific Palisades is extremely vulnerable to natural disasters such as hurricane high winds and flash flooding. Your Committees further find that Pacific Palisades is built on a plateau above the main portion of Pearl City and the only access road to the area is Komo Mai Drive, a one lane, winding, steep road with a hairpin turn at the base of the Palisades. Your Committees conclude that because Pacific Palisades only has one route for ingress and egress, additional options for alternative access routes are needed so the community is prepared in case of emergency.

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. 99 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Awa).

SCRep. 3537 (Joint) Health and Human Services and Agriculture and Environment on S.C.R. No. 74

The purpose and intent of this measure is to request the Department of Health to conduct a study of the methods used in other states to monitor air pollutants emitted by waste incineration facilities.

Your Committees received testimony in support of this measure from the Department of Health, Environmental Caucus of the Democratic Party of Hawai'i, Energy Justice Network, CARES, and four individuals.

Your Committees received comments on this measure from the Covanta Honolulu Resource Recovery Venture, LLC.

Your Committees find that municipal waste combustion facilities emit tons of pollutants into the air and current technology used to monitor waste incineration facilities for pollutants is out dated. Your Committees further find that different states employ different methods to monitor pollutants emitted by municipal waste combustion facilities, and the experiences of other states may prove helpful in determining the optimal methods to be utilized by the State. This measure supports the evaluation of other states' methods and practices for air pollutant monitoring to improve the State's research methodology and strategy in monitoring and reducing the emission of air pollutants.

Your Committees note concerns raised in testimony that the term “waste incineration facilities” should be more narrowly defined as “municipal waste combustion facilities”, as the broader term of “waste incineration facilities” could include pathological waste incinerators, which include crematories and air curtain incinerators, which burn vegetative and silvicultural waste. Your Committees further note that these operations do not burn large quantities or have varied waste streams, and thus generate more consistent and significantly lower amounts of emissions than a municipal waste combustion facility. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Replacing the term “waste incineration” with “municipal waste combustion” to specify the facilities to be studied;
- (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 Health and Human Services and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 74, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 74, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3538 (Joint) Health and Human Services and Agriculture and Environment on S.C.R. No. 76

The purpose and intent of this measure is to request the Director of Health and the Chief Energy Officer to continuously monitor air pollutants emitted by waste incineration facilities.

Your Committees received testimony in support of this measure from the Energy Justice Network, Environment Caucus of the Democratic Party of Hawai‘i, CARES, and two individuals.

Your Committees received testimony in opposition to this measure from the Covanta Honolulu Resource Recovery Venture, LLC.

Your Committees received comments on this measure from the Department of Health and Hawaii State Energy Office.

Your Committees find that of the twenty-two known pollutants that waste incineration facilities emit, only four are monitored continuously. Further, as emissions may vary based on what materials are being incinerated, the measurements of certain emissions that are taken only once per year may not accurately reflect the pollutants being emitted at other times of the year, which is critical with respect to certain dioxin emissions that are restricted by the Environmental Protection Agency due to their toxicity. This measure would request the Department of Health, in collaboration with the Hawaii State Energy Office, to conduct monitoring of air pollutants emitted by waste incineration facilities. Your Committees further find that this measure’s proposed request would require additional staff, time, and effort, and that no funds are being allocated to the Department of Health or Hawaii State Energy Office to fulfill these requests.

Your Committees note that H.C.R. No. 153 (2024) was recently passed out of the House of Representatives Standing Committee on Energy and Environmental Protection and requests the Department of Health to conduct a feasibility study on the implementation of continuous monitoring and sampling technologies in waste combustion facilities and municipal solid waste landfills. Your Committees find that the language in H.C.R. No. 153 is preferable because it does not request the Department of Health or the Hawaii State Energy Office to actually conduct continuous monitoring of air pollutants, but rather to conduct a feasibility study on the implementation of continuous monitoring of air pollutants.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and inserting the contents of H.C.R. No. 153, which requests the Department of Health to conduct a feasibility study on the implementation of continuous monitoring and sampling technologies in waste combustion facilities and municipal solid waste landfills;
- (2) Inserting language to request the Department of Health to seek fees from users of waste facilities to fund the requested development of the emissions data disclosure website;
- (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 records of votes of the members of your Committees on Health and Human Services and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 76, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 76, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3539 (Joint) Health and Human Services and Agriculture and Environment on S.R. No. 63

The purpose and intent of this measure is to request the Director of Health and the Chief Energy Officer to continuously monitor air pollutants emitted by waste incineration facilities.

Your Committees received testimony in support of this measure from the Energy Justice Network, Environment Caucus of the Democratic Party of Hawai‘i, and two individuals.

Your Committees received testimony in opposition to this measure from the Covanta Honolulu Resource Recovery Venture, LLC.

Your Committees received comments on this measure from the Department of Health and Hawaii State Energy Office.

Your Committees find that of the twenty-two known pollutants that waste incineration facilities emit, only four are monitored continuously. Further, as emissions may vary based on what materials are being incinerated, the measurements of certain emissions that are taken only once per year may not accurately reflect the pollutants being emitted at other times of the year, which is critical with respect to certain dioxin emissions that are restricted by the Environmental Protection Agency due to their toxicity. This measure would request the Department of Health, in collaboration with the Hawaii State Energy Office, to conduct monitoring of air pollutants emitted by waste incineration facilities. Your Committees further find that this measure's proposed request would require additional staff, time, and effort, and that no funds are being allocated to the Department of Health or Hawaii State Energy Office to fulfill these requests.

Your Committees note that H.C.R. No. 153 (2024) was recently passed out of the House of Representatives Standing Committee on Energy and Environmental Protection and requests the Department of Health to conduct a feasibility study on the implementation of continuous monitoring and sampling technologies in waste combustion facilities and municipal solid waste landfills. Your Committees find that the language in H.C.R. No. 153 is preferable because it does not request the Department of Health or the Hawaii State Energy Office to actually conduct continuous monitoring of air pollutants, but rather to conduct a feasibility study on the implementation of continuous monitoring of air pollutants.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and inserting the contents of H.C.R. No. 153, which requests the Department of Health to conduct a feasibility study on the implementation of continuous monitoring and sampling technologies in waste combustion facilities and municipal solid waste landfills;
- (2) Inserting language to request the Department of Health to seek fees from users of waste facilities to fund the requested development of the emissions data disclosure website;
- (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 records of votes of the members of your Committees on Health and Human Services and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 63, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 63, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3540 (Joint) Health and Human Services and Agriculture and Environment on S.C.R. No. 170

The purpose and intent of this measure is to urge the Department of Health to investigate and implement policies to reduce the importation of products, packaging, or materials containing perfluoroalkyl and polyfluoroalkyl substances into the State.

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 Health and American Chemistry Council, Inc.

Your Committees find that perfluoroalkyl and polyfluoroalkyl substances, commonly known as PFAS, or forever chemicals, are persistent toxic substances that can contaminate drinking water, bioaccumulate in fish and wildlife, have adverse health effects on humans, and do not break down in the environment. Your Committees further find that any PFAS imported into the State pose a risk to human health and will eventually enter the food chain and contaminate already scarce drinking water aquifers. This measure supports the Department of Health's mission to protect the health and safety of residents of the State by requesting the investigation and implementation of proactive measures to reduce the importation of PFAS into the State.

Your Committees note concerns raised in the Department of Health's testimony that this measure's requested investigation will be difficult to fulfill considering the significant number of products containing PFAS and a lack of resources allocated to the Department of Health to conduct this investigation.

Accordingly, your Committees have amended this measure by inserting language to request the Department of Health to pursue funding for the implementation of the investigation to reduce the importation of products, packaging, or materials containing PFAS into the State.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 170, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 170, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3541 (Joint) Health and Human Services and Agriculture and Environment on S.R. No. 146

The purpose and intent of this measure is to urge the Department of Health to investigate and implement policies to reduce the importation of products, packaging, or materials containing perfluoroalkyl and polyfluoroalkyl substances into the State.

Your Committees received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i and one individual.

Your Committees received comments on this measure from the American Chemistry Council, Inc.

Your Committees find that perfluoroalkyl and polyfluoroalkyl substances, commonly known as PFAS, or forever chemicals, are persistent toxic substances that can contaminate drinking water, bioaccumulate in fish and wildlife, have adverse health effects on humans, and do not break down in the environment. Your Committees further find that any PFAS imported into the State pose a risk to human health and will eventually enter the food chain and contaminate already scarce drinking water aquifers. This measure supports the Department of Health's mission to protect the health and safety of residents of the State by requesting the investigation and implementation of proactive measures to reduce the importation of PFAS into the State.

Your Committees note concerns raised in the Department of Health's testimony that this measure's requested investigation will be difficult to fulfill considering the significant number of products containing PFAS and a lack of resources allocated to the Department of Health to conduct this investigation.

Accordingly, your Committees have amended this measure by inserting language to request the Department of Health to pursue funding for the implementation of the investigation to reduce the importation of products, packaging, or materials containing PFAS into the State.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 146, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 146, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3542 (Joint) Health and Human Services and Agriculture and Environment on S.C.R. No. 130

The purpose and intent of this measure is to urge the Department of Health to take all action necessary to require a wastewater treatment plant to test sewage sludge and any other residual material for the presence of perfluoroalkyl and polyfluoroalkyl substances.

Your Committees received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i and one individual.

Your Committees received comments on this measure from the Department of Health.

Your Committees find that perfluoroalkyl and polyfluoroalkyl (PFAS) substances found in reclaimed water and sewage sludge can pose a range of health and environmental risks. Because reclaimed water can be used for agricultural practices, requiring regular testing will help identify potential PFAS contamination and allow for appropriate management and mitigation measures for the safety of consumers, farmers, and the environment. Additionally, your Committees find that despite the Department of Health and the Honolulu Board of Water Supply actively testing the State's drinking water wells for PFAS, "forever chemicals" have been detected in the soil, groundwater, and drinking water, demonstrating the need for wastewater purveyors, the military, and other government agencies to test for PFAS. Your Committees further find that regular testing and monitoring of reclaimed water at wastewater treatment plants through environmental regulations and public health guidelines demonstrates responsible management of wastewater facilities by the Department of Health.

Your Committees have amended this measure by:

- (1) Amending its title accordingly; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 130, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 130, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3543 (Joint) Health and Human Services and Agriculture and Environment on S.R. No. 112

The purpose and intent of this measure is to urge the Department of Health to take all action necessary to require a wastewater treatment plant to test sewage sludge and any other residual material for the presence of perfluoroalkyl and polyfluoroalkyl substances.

Your Committees received testimony in support of this measure from the Environmental Caucus and the Democratic Party of Hawai'i and one individual.

Your Committees find that perfluoroalkyl and polyfluoroalkyl (PFAS) substances found in reclaimed water and sewage sludge can pose a range of health and environmental risks. Because reclaimed water can be used for agricultural practices, requiring regular testing will help identify potential PFAS contamination and allow for appropriate management and mitigation measures for the safety of consumers, farmers, and the environment. Additionally, your Committees find that despite the Department of Health and the Honolulu Board of Water Supply actively testing the State's drinking water wells for PFAS, "forever chemicals" have been detected in the soil, groundwater, and drinking water, demonstrating the need for wastewater purveyors, the military, and other government agencies to test for PFAS. Your Committees further find that regular testing and monitoring of reclaimed water at wastewater

treatment plants through environmental regulations and public health guidelines demonstrates responsible management of wastewater facilities by the Department of Health.

Your Committees have amended this measure by:

- (1) Amending its title accordingly; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 112, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 112, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3544 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 47

The purpose and intent of this measure is to urge the Department of Law Enforcement to develop and implement a U visa certification policy.

Your Committee received testimony in support of this measure from the Department of Law Enforcement, The Legal Clinic, Hawai'i Friends of Civil Rights, Valar Law LLC, Hawai'i Coalition for Immigrant Rights, Hawai'i Workers Center, and five individuals.

Your Committee finds that the U visa is an immigration benefit for immigrant victims of certain crimes who will assist, are currently assisting, or have previously assisted law enforcement in the investigation or prosecution of a crime. Your Committee further finds that the U visa provides eligible immigrant victims with nonimmigrant status to temporarily remain in the United States while assisting law enforcement, allowing these individuals to legally remain and work in the United States. Your Committee concludes that the State would benefit from having a U visa certification policy to ensure that victims of certain crimes have a safe opportunity to report these crimes without fear of deportation.

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. 47 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3545 Public Safety and Intergovernmental and Military Affairs on S.R. No. 35

The purpose and intent of this measure is to urge the Department of Law Enforcement to develop and implement a U visa certification policy.

Your Committee received testimony in support of this measure from the Department of Law Enforcement, The Legal Clinic, Hawai'i Friends of Civil Rights, Valar Law LLC, Hawai'i Coalition for Immigrant Rights, and three individuals.

Your Committee finds that the U visa is an immigration benefit for immigrant victims of certain crimes who will assist, are currently assisting, or have previously assisted law enforcement in the investigation or prosecution of a crime. Your Committee further finds that the U visa provides eligible immigrant victims with nonimmigrant status to temporarily remain in the United States while assisting law enforcement, allowing these individuals to legally remain and work in the United States. Your Committee concludes that the State would benefit from having a U visa certification policy to ensure that victims of certain crimes have a safe opportunity to report these crimes without fear of deportation.

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. 35 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3546 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 32

The purpose and intent of this measure is to recognize the issue of illegal dumping within the Waipahu community and urge the State, City and County of Honolulu, and military to work together to address this concern.

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

Your Committee finds that illegal dumping has long plagued Waipahu, particularly the West Loch bike path from Waipahu to Aiea, where shopping carts clutter drainage ditches. Your Committee further finds that this illegal dumping in Waipahu and surrounding communities threatens public health and the environment, contaminating soil, water sources, and roads. Your Committee concludes that urgent action is necessary to mitigate health risks, protect the environment, and ensure the well-being of Waipahu residents and visitors.

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. 32 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3547 Public Safety and Intergovernmental and Military Affairs on S.R. No. 21

The purpose and intent of this measure is to recognize the issue of illegal dumping within the Waipahu community and urge the State, City and County of Honolulu, and military to work together to address this concern.

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

Your Committee finds that illegal dumping has long plagued Waipahu, particularly the West Loch bike path from Waipahu to Aiea, where shopping carts clutter drainage ditches. Your Committee further finds that this illegal dumping in Waipahu and surrounding communities threatens public health and the environment, contaminating soil, water sources, and roads. Your Committee concludes that urgent action is necessary to mitigate health risks, protect the environment, and ensure the well-being of Waipahu residents and visitors.

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. 21 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3548 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 181

The purpose and intent of this measure is to request the establishment of a statewide firefighting helicopter program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaiian Electric, and one individual.

Your Committee finds that due to its geographical isolation, Hawaii faces major barriers to effective wildfire response. Your Committee further finds that while other states may request out-of-state firefighting agencies under mutual aid agreements to assist in coordinated firefighting efforts due to closer proximity and connected land mass, Hawaii's geographical isolation and unique topography make it increasingly difficult to request similar assistance, only compounding the challenges that local firefighters face in response to a wildfire. Your Committee concludes that a statewide firefighting aircraft program is imperative for the State to fortify resilience against wildfires and enhance emergency management and response capabilities.

Your Committee has amended this measure by:

- (1) Adding language to expand the program to be a statewide firefighter aircraft program to include fixed wing aircraft and drones;
- (2) Amending the 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 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. 181, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 181, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3549 Commerce and Consumer Protection on S.C.R. No. 93

The purpose and intent of this measure is to request the Insurance Commissioner to coordinate and develop a Wildfire Insurance Compact.

Your Committee received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs.

Your Committee finds that the State is facing the growing challenge of managing and preventing dangerous wildfires, which has only been exacerbated by the rising temperatures associated with climate change. As property insurance markets continue to adjust to the uncertainty of and increased risks posed by wildfires, your Committee finds that the State should also consider exploring new, coordinated approaches that could help manage costs, expedite recovery, and ensure that insurance coverage remains available and affordable for Hawaii residents. Therefore, this measure requests the Insurance Commissioner to coordinate and develop new risk sharing approaches to wildfires, specifically, a compact that focuses primarily on risk pooling, with strategic partner states to provide mutual aid among members.

Your Committee notes the concerns raised by the testimony of the Insurance Division of the Department of Commerce and Consumer Affairs that this measure is unclear as to how a compact would provide a mechanism for risk pooling or the specifications for risk pooling, including the focus points, definitions, and parameters to consider in an assessment for risk pooling. Therefore, amendments to this measure are necessary to address this concern.

Accordingly, your Committee has amended this measure by:

- (1) Requesting the Insurance Commissioner to research and convene stakeholder discussions to consider the concept of a Wildfire Insurance Compact with strategic partner states that have similar wildfire risks or robust disaster management systems, rather than coordinate and develop a Wildfire Insurance Compact;
- (2) Amending its title to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 93, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 93, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

SCRep. 3550 Commerce and Consumer Protection on S.R. No. 79

The purpose and intent of this measure is to request the Insurance Commissioner to coordinate and develop a Wildfire Insurance Compact.

Your Committee received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs.

Your Committee finds that the State is facing the growing challenge of managing and preventing dangerous wildfires, which has only been exacerbated by the rising temperatures associated with climate change. As property insurance markets continue to adjust to the uncertainty of and increased risks posed by wildfires, your Committee finds that the State should also consider exploring new, coordinated approaches that could help manage costs, expedite recovery, and ensure that insurance coverage remains available and affordable for Hawaii residents. Therefore, this measure requests the Insurance Commissioner to coordinate and develop new risk sharing approaches to wildfires, specifically, a compact that focuses primarily on risk pooling, with strategic partner states to provide mutual aid among members.

Your Committee notes the concerns raised by the testimony of the Insurance Division of the Department of Commerce and Consumer Affairs that this measure is unclear as to how a compact would provide a mechanism for risk pooling or the specifications for risk pooling, including the focus points, definitions, and parameters to consider in an assessment for risk pooling. Therefore, amendments to this measure are necessary to address this concern.

Accordingly, your Committee has amended this measure by:

- (1) Requesting the Insurance Commissioner to research and convene stakeholder discussions to consider the concept of a Wildfire Insurance Compact with strategic partner states that have similar wildfire risks or robust disaster management systems, rather than coordinate and develop a Wildfire Insurance Compact;
- (2) Amending its title to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 79, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 79, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

SCRep. 3551 Health and Human Services on S.C.R. No. 49

The purpose and intent of this measure is to request the Department of Health to convene a stakeholder working group to make recommendations to enhance meaningful access to health care in the State through the provision of language assistance services.

Your Committee received testimony in support of this measure from the Department of Health, Office of Language Access, AlohaCare, Hawai'i Coalition for Immigrant Rights, Hawai'i Appleseed Center for Law and Economic Justice, Pacific Gateway Center, Hawai'i Children's Action Network Speaks!, Language Services Hawaii, Hawai'i Medical Service Association, and three individuals.

Your Committee received comments on this measure from the Healthcare Association of Hawaii.

Your Committee finds that effective communication is crucial in health care and human services to prevent misdiagnosis, delayed medical treatment, and barriers to necessary services and programs. Your Committee finds however, that limited English proficient (LEP) individuals and individuals living with physical disabilities face barriers in equitably accessing health care when language assistance and translation services are not provided, as evidenced during the coronavirus disease 2019 pandemic when communities having high numbers of LEP residents experienced higher rates of incidence and mortality. This measure will facilitate a discussion among stakeholders, including health care providers, insurers, representatives of community-based organizations, and language service providers, to make recommendations to the Legislature to ensure that all individuals in the State requiring language assistance services have meaningful access to health care.

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. 49 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3552 Health and Human Services on S.R. No. 37

The purpose and intent of this measure is to request the Department of Health to convene a stakeholder working group to make recommendations to enhance meaningful access to health care in the State through the provision of language assistance services.

Your Committee received testimony in support of this measure from the Office of Language Access, AlohaCare, Hawai'i Coalition for Immigrant Rights, Hawai'i Appleseed Center for Law and Economic Justice, Pacific Gateway Center, Hawai'i Children's Action Network Speaks!, Language Services Hawaii, Hawai'i Medical Service Association, and three individuals.

Your Committee received comments on this measure from the Healthcare Association of Hawaii.

Your Committee finds that effective communication is crucial in health care and human services to prevent misdiagnosis, delayed medical treatment, and barriers to necessary services and programs. Your Committee finds however, that limited English proficient (LEP) individuals and individuals living with physical disabilities face barriers in equitably accessing health care when language assistance and translation services are not provided, as evidenced during the coronavirus disease 2019 pandemic when communities having high numbers of LEP residents experienced higher rates of incidence and mortality. This measure will facilitate a discussion among stakeholders, including health care providers, insurers, representatives of community-based organizations, and language service providers, to make recommendations to the Legislature to ensure that all individuals in the State requiring language assistance services have meaningful access to health care.

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. 37 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3553 (Joint/Majority) Health and Human Services and Judiciary on S.C.R. No. 14

The purpose and intent of this measure is to urge the members of Hawaii's congressional delegation to monitor the *Alliance for Hippocratic Medicine v. U.S. Food and Drug Administration* supreme court case and take action to limit the case from further restricting access to safe abortion options.

Your Committees received testimony in support of this measure from AlohaCare, Democratic Party of Hawai'i, Democratic Party of Hawai'i Women's Caucus, and two individuals.

Your Committees received testimony in opposition to this measure from two individuals.

Your Committees find that preserving access to safe and legal reproductive care is a vital public health objective for the State. Access to abortion medication like mifepristone gives health care providers an additional method of providing a safe and effective abortion treatment to their patients. Your Committees further find that the *Alliance for Hippocratic Medicine et al v. U.S. Food and Drug Administration, et al*, is a case moving through the federal court system that involves plaintiffs seeking to overturn the Food and Drug Administration's approval of mifepristone, which could effectively ban the drug nationwide even in states where abortion is legal. This measure urges the State's congressional delegation to implement proactive measures to counteract the effect of any further restrictions on abortion medication, which will protect personal autonomy and access to reproductive care for residents of the State.

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 concur with the intent and purpose of S.C.R. No. 14 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

Judiciary: Ayes, 3. Noes, 1 (Gabbard). Excused, 1 (Awa).

SCRep. 3554 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 219

The purpose and intent of this measure is to urge the Federal Emergency Management Agency to expedite the placement of Maui wildfire survivors into the Direct Lease Program.

Your Committee received no testimony on this measure.

Your Committee finds that as of March 2024, hundreds of survivors and families of the August 2023 Maui wildfires are still without long-term housing. Your Committee further finds that one option for long-term housing is the Federal Emergency Management Agency's Direct Lease Program, wherein the agency leases existing, ready-to-occupy residential properties for use as temporary housing for families displaced by wildfires. Your Committee concludes that it is a moral and financial priority for the State to move as many survivors as possible into long-term housing programs by expediting the Direct Lease Program process.

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

As affirmed by the record of votes of the members of your Committee on 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. 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 (Awa).

SCRep. 3555 Public Safety and Intergovernmental and Military Affairs on S.R. No. 195

The purpose and intent of this measure is to urge the Federal Emergency Management Agency to expedite the placement of Maui wildfire survivors into the Direct Lease Program.

Your Committee received no testimony on this measure.

Your Committee finds that as of March 2024, hundreds of survivors and families of the August 2023 Maui wildfires are still without long-term housing. Your Committee further finds that one option for long-term housing is the Federal Emergency Management

Agency's Direct Lease Program, wherein the agency leases existing, ready-to-occupy residential properties for use as temporary housing for families displaced by wildfires. Your Committee concludes that it is a moral and financial priority for the State to move as many survivors as possible into long-term housing programs by expediting the Direct Lease Program process.

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

As affirmed by the record of votes of the members of your Committee on 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. 195, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 195, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3556 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 156

The purpose and intent of this measure is to urge the United States Congress to take immediate and decisive action to support middle- and lower-income households in America.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i.

Your Committee finds that the United States faces an ongoing crisis of inequality with middle- and lower-income households bearing the brunt of economic hardship. Your Committee further finds that despite being one of the wealthiest nations in the world, the United States ranks poorly in numerous health and social indicators, reflecting systemic failures in addressing the needs of its most vulnerable members of society. Your Committee concludes that it imperative for Congress to prioritize the wellbeing of all citizens and enact legislation that promotes fairness, justice, and opportunity for every individual.

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. 156, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 156, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3557 Public Safety and Intergovernmental and Military Affairs on S.R. No. 133

The purpose and intent of this measure is to urge the United States Congress to take immediate and decisive action to support middle- and lower-income households in America.

Your Committee received no testimony on this measure.

Your Committee finds that the United States faces an ongoing crisis of inequality with middle- and lower-income households bearing the brunt of economic hardship. Your Committee further finds that despite being one of the wealthiest nations in the world, the United States ranks poorly in numerous health and social indicators, reflecting systemic failures in addressing the needs of its most vulnerable members of society. Your Committee concludes that it imperative for Congress to prioritize the wellbeing of all citizens and enact legislation that promotes fairness, justice, and opportunity for every individual.

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. 133, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 133, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3558 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 31

The purpose and intent of this measure is to request the Women's Corrections Implementation Commission to develop a strategy and make recommendations to reduce the number of women incarcerated at the Women's Community Center by twenty-five percent over the next five years.

Your Committee received testimony in support of this measure from the Judiciary, Department of Corrections and Rehabilitation, Criminal Justice Research Institute, Women's Prison Project, Hawai'i Friends of Restorative Justice, and three individuals.

Your Committee finds that there has been little progress diverting nonviolent women offenders from prison as the recidivism rate remains at fifty percent and the population at the Women's Community Correctional Center remains at approximately two hundred, a nine hundred fifty percent increase since 1978. Your Committee further finds that the lack of progress diverting women from the criminal justice system can be traced to two failings: the lack of a definite, measurable goal by which to reduce the number of incarcerated women and a lack of resources allocated to proven community-based rehabilitative programs. Your Committee concludes that in order to reduce the recidivism rate for women, a comprehensive strategy needs to be developed by the Women's Corrections Implementation Commission.

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. 31, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 31, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3559 Public Safety and Intergovernmental and Military Affairs on S.R. No. 20

The purpose and intent of this measure is to request the Women's Corrections Implementation Commission to develop a strategy and make recommendations to reduce the number of women incarcerated at the Women's Community Center by twenty-five percent over the next five years.

Your Committee received testimony in support of this measure from the Judiciary, Department of Corrections and Rehabilitation, Criminal Justice Research Institute, Women's Prison Project, Hawai'i Friends of Restorative Justice, and two individuals.

Your Committee finds that there has been little progress diverting nonviolent women offenders from prison as the recidivism rate remains at fifty percent and the population at the Women's Community Correctional Center remains at approximately two hundred, a nine hundred fifty percent increase since 1978. Your Committee further finds that the lack of progress diverting women from the criminal justice system can be traced to two failings: the lack of a definite, measurable goal by which to reduce the number of incarcerated women and a lack of resources allocated to proven community-based rehabilitative programs. Your Committee concludes that in order to reduce the recidivism rate for women, a comprehensive strategy needs to be developed by the Women's Corrections Implementation Commission.

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. 20, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 20, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3560 (Joint) Public Safety and Intergovernmental and Military Affairs and Hawaiian Affairs on S.C.R. No. 209

The purpose and intent of this measure is to request all branches of the United States military to display the Hawaiian flag on all United States military reservations and military training facilities in the State.

Your Committees received testimony in support of this measure from the Hawaii Military Affairs Council and two individuals.

Your Committees find that the current version of the Hawaiian flag was adopted in 1845 and has been used by the Kingdom, Protectorate, Republic, Territory, and State of Hawaii. Your Committees further find that the State hosts more than three hundred thousand United States military personnel, along with more than eleven military reservations and military training facilities. Your Committees conclude that all military reservations and training facilities should display the Hawaiian flag as a gesture of respect and recognition to the State and its communities.

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 Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 209, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 209, 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 (Awa).
Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Ihara).

SCRep. 3561 (Joint) Public Safety and Intergovernmental and Military Affairs and Hawaiian Affairs on S.R. No. 185

The purpose and intent of this measure is to request all branches of the United States military to display the Hawaiian flag on all United States military reservations and military training facilities in the State.

Your Committees received testimony in support of this measure from the Hawaii Military Affairs Council.

Your Committees find that the current version of the Hawaiian flag was adopted in 1845 and has been used by the Kingdom, Protectorate, Republic, Territory, and State of Hawaii. Your Committees further find that the State hosts more than three hundred thousand United States military personnel, along with more than eleven military reservations and military training facilities. Your Committees conclude that all military reservations and training facilities should display the Hawaiian flag as a gesture of respect and recognition to the State and its communities.

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 Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 185, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 185, 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 (Awa).

Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Ihara).

SCRep. 3562 Energy, Economic Development, and Tourism on S.C.R. No. 97

The purpose and intent of this measure is to request the Hawaii State Energy Office to convene a Renewable Fuels Working Group to study local production, development, and incentives for renewable liquid fuels.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Par Hawaii; Hawaiian Airlines; Airlines Committee of Hawaii, Inc.; Hawai'i Gas; Hawai'i Farm Bureau; Island Energy Services, Inc.; Pacific Biodiesel Technologies, LLC; and one individual.

Your Committee finds that the State is heavily dependent on various modes of transportation for tourism, commerce, and inter-island travel, which significantly contributes to greenhouse gas emissions. Your Committee further finds that renewable liquid fuels offer a viable solution to mitigate greenhouse gas emissions across various modes of transportation, including aviation, and the State has a vested interest in fostering a comprehensive, diverse portfolio of renewable liquid fuels. This measure establishes a working group to explore how to best incentivize the production of renewable liquid fuels in the State to provide valuable insights and recommendations for promoting the adoption and development of a diverse portfolio of renewable liquid fuels.

Your Committee has amended this measure by:

- (1) Inserting language requesting that the Renewable Fuels Working Group membership include:
 - (A) A representative from a local fuel importer with statewide logistical supply and distribution capability; and
 - (B) Any others, as invited by the Chairperson;
- (2) Deleting language that would have requested the Renewable Fuels Working Group to submit to the Governor and Legislature an interim report providing an update of its work and progress no later than December 1, 2025;
- (3) Inserting language requesting that the Renewable Fuels Working Group submit to the Governor and Legislature a final report of its findings and recommendations, including any proposed legislation, no later than January 1, 2025; 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 concurs with the intent and purpose of S.C.R. No. 97, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 97, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3563 Energy, Economic Development, and Tourism on S.R. No. 82

The purpose and intent of this measure is to request the Hawaii State Energy Office to convene a Renewable Fuels Working Group to study local production, development, and incentives for renewable liquid fuels.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Par Hawaii; Hawaiian Airlines; Airlines Committee of Hawaii, Inc.; Hawai'i Gas; Hawai'i Farm Bureau; and Island Energy Services, Inc.

Your Committee finds that the State is heavily dependent on various modes of transportation for tourism, commerce, and inter-island travel, which significantly contributes to greenhouse gas emissions. Your Committee further finds that renewable liquid fuels offer a viable solution to mitigate greenhouse gas emissions across various modes of transportation, including aviation, and the State has a vested interest in fostering a comprehensive, diverse portfolio of renewable liquid fuels. This measure establishes a working group to explore how to best incentivize the production of renewable liquid fuels in the State to provide valuable insights and recommendations for promoting the adoption and development of a diverse portfolio of renewable liquid fuels.

Your Committee has amended this measure by:

- (1) Inserting language requesting that the Renewable Fuels Working Group membership include:
 - (A) A representative from a local fuel importer with statewide logistical supply and distribution capability; and
 - (B) Any others, as invited by the Chairperson;
- (2) Deleting language that would have requested the Renewable Fuels Working Group to submit to the Governor and Legislature an interim report providing an update of its work and progress no later than December 1, 2025;
- (3) Inserting language requesting that the Renewable Fuels Working Group submit to the Governor and Legislature a final report of its findings and recommendations, including any proposed legislation, no later than January 1, 2025; 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 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, 4. Noes, none. Excused, 1 (Fukunaga).

SCRep. 3564 Energy, Economic Development, and Tourism on S.C.R. No. 171

The purpose and intent of this measure is to request the Department of Business, Economic Development, and Tourism to propose legislation that establishes tax credits for firm renewable electricity generation.

Your Committee received testimony in support of this measure from Hawaiian Electric; International Brotherhood of Electrical Workers Local Union 1260; Pacific Biodiesel Technologies, LLC; and one individual.

Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that the achievement of the State's one hundred percent Renewable Portfolio Standard by 2045 is highly reliant on firm renewable energy generation and the State must continue to support utility-scale renewable energy projects that benefit residents and ratepayers. Your Committee further finds that the State must provide certainty and clarity for firm renewable generation projects to ensure their stability and long-term financial viability. This measure, through proposed legislation from the Department of Business, Economic Development, and Tourism, will provide firm renewable energy technologies the same opportunities, in the form of incentives, that are available for other renewable energy technologies to successfully progress the State towards a one hundred percent Renewable Portfolio Standard.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Business, Economic Development, and Tourism is requested to propose legislation that establishes incentives, rather than tax credits, for firm renewable electricity generation;
- (2) Amending its title to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 171, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 171, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

SCRep. 3565 Energy, Economic Development, and Tourism on S.R. No. 147

The purpose and intent of this measure is to request the Department of Business, Economic Development, and Tourism to propose legislation that establishes tax credits for firm renewable electricity generation.

Your Committee received testimony in support of this measure from Hawaiian Electric and International Brotherhood of Electrical Workers Local Union 1260.

Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that the achievement of the State's one hundred percent Renewable Portfolio Standard by 2045 is highly reliant on firm renewable energy generation and the State must continue to support utility-scale renewable energy projects that benefit residents and ratepayers. Your Committee further finds that the State must provide certainty and clarity for firm renewable generation projects to ensure their stability and long-term financial viability. This measure, through proposed legislation from the Department of Business, Economic Development, and Tourism, will provide firm renewable energy technologies the same opportunities, in the form of incentives, that are available for other renewable energy technologies to successfully progress the State towards a one hundred percent Renewable Portfolio Standard.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Business, Economic Development, and Tourism is requested to propose legislation that establishes incentives, rather than tax credits, for firm renewable electricity generation;
- (2) Amending its title to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 147, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 147, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

SCRep. 3566 Energy, Economic Development, and Tourism on S.C.R. No. 172

The purpose and intent of this measure is to request the Department of Business, Economic Development, and Tourism to collaborate with universities in the State to convene the Hawaii Creative Innovation Group.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; University of Hawai'i System; and one individual.

Your Committee finds that the State's cultural creatives, fabric and fashion designers, graphic artists, musicians, songwriters, and performing artists are intrinsic to the identity of the State. Your Committee further finds that the State intends to provide new product development support from early-stage trials to commercialization by establishing the infrastructure, network of programs providing expert advice, and facilities that have equipment of various scales specifically tailored to the fashion and music industry sectors of the

creative economy. This measure requests the convening of the Hawaii Creative Innovation Group to scale-up and expand the fashion, design, and music industries and develop a strategy by which the State can grow emerging creative sectors into new brands, music placement, music sectors, companies, and value-added businesses in design, fashion, and technology.

Your Committee has amended this measure by:

- (1) Inserting language to clarify that members from the private sector are requested to be invited by the Director of Business, Economic Development, and Tourism; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 172, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 172, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

SCRep. 3567 Energy, Economic Development, and Tourism on S.R. No. 148

The purpose and intent of this measure is to request the Department of Business, Economic Development, and Tourism to collaborate with universities in the State to convene the Hawaii Creative Innovation Group.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and University of Hawai'i System.

Your Committee finds that the State's cultural creatives, fabric and fashion designers, graphic artists, musicians, songwriters, and performing artists are intrinsic to the identity of the State. Your Committee further finds that the State intends to provide new product development support from early-stage trials to commercialization by establishing the infrastructure, network of programs providing expert advice, and facilities that have equipment of various scales specifically tailored to the fashion and music industry sectors of the creative economy. This measure requests the convening of the Hawaii Creative Innovation Group to scale-up and expand the fashion, design, and music industries and develop a strategy by which the State can grow emerging creative sectors into new brands, music placement, music sectors, companies, and value-added businesses in design, fashion, and technology.

Your Committee has amended this measure by:

- (1) Inserting language to clarify that members from the private sector are requested to be invited by the Director of Business, Economic Development, and Tourism; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 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 (Fukunaga).

SCRep. 3568 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on S.C.R. No. 126

The purpose and intent of this measure is to encourage the Department of Agriculture and Hawaii State Energy Office to increase the State's usage of biodiesel and to fund programs that support the development of the biodiesel industry.

Your Committees received testimony in support of this measure from the Hawai'i Farm Bureau; Pacific Biodiesel Technologies, LLC; and three individuals.

Your Committees received testimony in opposition of this measure from Life of the Land.

Your Committees received comments on this measure from the Department of Agriculture, Hawaii State Energy Office, and one individual.

Your Committees find that biodiesel is a safe and sustainable alternative to petroleum-based fuels and that byproducts of its production can be used as livestock feed and in food, pharmaceutical, and cosmetic industries. Your Committees further find that the establishment of a single biodiesel refinery in the State would generate millions in revenue, hundreds of jobs, and additional opportunities for agricultural research. This measure supports the growth of local agriculture and energy sectors and thereby the economic diversity and resiliency of the State.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Energy, Economic Development, and Tourism that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 126 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.
Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Awa).
Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

SCRep. 3569 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on S.R. No. 108

The purpose and intent of this measure is to encourage the Department of Agriculture and Hawaii State Energy Office to increase the State's usage of biodiesel and to fund programs that support the development of the biodiesel industry.

Your Committees received testimony in support of this measure from Pacific Biodiesel Technologies, LLC and Hawai'i Farm Bureau.

Your Committees received comments on this measure from the Department of Agriculture and Hawaii State Energy Office.

Your Committees received comments on this measure from the Department of Agriculture, Hawaii State Energy Office, and one individual.

Your Committees find that biodiesel is a safe and sustainable alternative to petroleum-based fuels and that byproducts of its production can be used as livestock feed and in food, pharmaceutical, and cosmetic industries. Your Committees further find that the establishment of a single biodiesel refinery in the State would generate millions in revenue, hundreds of jobs, and additional opportunities for agricultural research. This measure supports the growth of local agriculture and energy sectors and thereby the economic diversity and resiliency of the State.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Energy, Economic Development, and Tourism that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 108 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Awa).

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

SCRep. 3570 (Joint) Health and Human Services and Agriculture and Environment on S.C.R. No. 128

The purpose and intent of this measure is to request the Department of Health to establish a Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) Testing Grant Program in collaboration with the University of Hawaii.

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 Health.

Your Committees find that PFAS are a group of synthetic organofluorine chemical compounds that pose a range of health and environmental risks, including risks to the State's aquatic ecosystems. Your Committees further find that due to their resistance to heat, water, and oil, PFAS have been used in a wide range of products, including non-stick cookware, water repellent clothing, stain-resistant fabrics and carpets, cosmetics, and other products that resist grease, water, and oil. Most of the hundreds of PFAS currently in use have limited or no toxicity data, making it challenging for agencies like the United States Environmental Protection Agency to understand and address the risks these substances may pose to human health and the environment. This measure will assist local communities, businesses, and residents throughout the State to obtain testing services and biological sampling for PFAS detection to safeguard the State's residents from the potential health risks of PFAS.

Your Committees have amended this measure by:

- (1) Inserting language to request the Department of Health to seek federal or grant funding for the establishment of the PFAS Testing Grant Program, in addition to funding from the United States Congress; 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 Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 128, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 128, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3571 (Joint) Health and Human Services and Agriculture and Environment on S.R. No. 110

The purpose and intent of this measure is to request the Department of Health to establish a Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) Testing Grant Program in collaboration with the University of Hawaii.

Your Committees received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i.

Your Committees find that PFAS are a group of synthetic organofluorine chemical compounds that pose a range of health and environmental risks, including risks to the State's aquatic ecosystems. Your Committees further find that due to their resistance to heat, water, and oil, PFAS have been used in a wide range of products, including non-stick cookware, water repellent clothing, stain-resistant fabrics and carpets, cosmetics, and other products that resist grease, water, and oil. Most of the hundreds of PFAS currently in use have limited or no toxicity data, making it challenging for agencies like the United States Environmental Protection Agency to understand and address the risks these substances may pose to human health and the environment. This measure will assist local communities, businesses, and residents throughout the State to obtain testing services and biological sampling for PFAS detection to safeguard the State's residents from the potential health risks of PFAS.

Your Committees have amended this measure by:

- (1) Inserting language to request the Department of Health to seek federal or grant funding for the establishment of the PFAS Testing Grant Program, in addition to funding from the United States Congress; 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 Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 110, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 110, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3572 Agriculture and Environment on S.C.R. No. 129

The purpose and intent of this measure is to request:

- (1) The Department of Agriculture (Department) establish a Sustainable Food Systems Working Group (Working Group) to develop an Interagency Food Systems Plan (Plan);
- (2) The Working Group submit the Plan and its recommendations for the implementation of the Plan to the Legislature before the Regular Session of 2025;
- (3) The Department provide any necessary administrative and staff support to the Working Group; and
- (4) The Working Group be dissolved on June 30, 2025.

Your Committee received testimony in support of this measure from the Hawaii Food Industry Association, Local Food Coalition, Ulupono Initiative, Hawai'i Farm Bureau, and two individuals.

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

Your Committee finds that the State imports eight-five percent of its food, making it vulnerable to natural and man-made disasters. Your Committee further finds that the development of a sustainable food system for the State would not only make its local food production more resilient, but also support "green" job creation, sustainable economic development, land stewardship, and climate change resiliency. This measure establishes a temporary Sustainable Food Systems Working Group to guide the establishment of an efficient and effective sustainable food system for the State.

Your Committee has amended this measure by:

- (1) Amending the composition of the Working Group to include members from the:
 - (A) Department of Health;
 - (B) Office of Hawaiian Affairs; and
 - (C) Office of Planning and Sustainable Development;
- (2) Requesting that the Working Group also address the following:
 - (A) Food waste;
 - (B) Sustainable fisheries;
 - (C) Food systems resilience; and
 - (D) Disaster preparation and response;
- (3) Amending the list of recipients of certified copies to include the Director of Health, Chief Executive Officer of the Office of Hawaiian Affairs, and Director of the Office of Planning and Sustainable Development; 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 concurs with the intent and purpose of S.C.R. No. 129, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 129, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (DeCoite, Awa).

SCRep. 3573 Agriculture and Environment on S.R. No. 111

The purpose and intent of this measure is to request:

- (1) The Department of Agriculture (Department) establish a Sustainable Food Systems Working Group (Working Group) to develop an Interagency Food Systems Plan (Plan);
- (2) The Working Group submit the Plan and its recommendations for the implementation of the Plan to the Legislature before the Regular Session of 2025;
- (3) The Department provide any necessary administrative and staff support to the Working Group; and
- (4) The Working Group be dissolved on June 30, 2025.

Your Committee received testimony in support of this measure from the Local Food Coalition, Hawaii Food Industry Association, Hawai'i Farm Bureau, and one individual.

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

Your Committee finds that the State imports eight-five percent of its food, making it vulnerable to natural and man-made disasters. Your Committee further finds that the development of a sustainable food system for the State would not only make its local food production more resilient, but also support “green” job creation, sustainable economic development, land stewardship, and climate change resiliency. This measure establishes a temporary Sustainable Food Systems Working Group to guide the establishment of an efficient and effective sustainable food system for the State.

Your Committee has amended this measure by:

- (1) Amending the composition of the Working Group to include members from the:
 - (A) Department of Health;
 - (B) Office of Hawaiian Affairs; and
 - (C) Office of Planning and Sustainable Development;
- (2) Requesting that the Working Group also address the following:
 - (A) Food waste;
 - (B) Sustainable fisheries;
 - (C) Food systems resilience; and
 - (D) Disaster preparation and response;
- (3) Amending the list of recipients of certified copies to include the Director of Health, Chief Executive Officer of the Office of Hawaiian Affairs, and Director of the Office of Planning and Sustainable Development; 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 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, 3. Noes, none. Excused, 2 (DeCoite, Awa).

SCRep. 3574 Hawaiian Affairs on S.C.R. No. 68

The purpose and intent of this measure is to request:

- (1) Businesses in Hawaii to incorporate Hawaiian language in their daily operations;
- (2) The Department of Education to develop and implement programs to teach employees Hawaiian; and
- (3) The Department of Education to hire permanent Hawaiian language teachers.

Your Committee received testimony in support of this measure from the Association of Hawaiian Civic Clubs and twenty-five individuals.

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

Your Committee finds that the Hawaiian language, also known as ‘Ōlelo Hawai‘i, holds cultural significance and is an integral part of the State’s rich heritage. Your Committee further finds that encouraging the use of Hawaiian language in business operations is a positive step toward cultural enrichment and linguistic diversity that will create opportunities for the permanent employment of Hawaiian language teachers. Your Committee believes that businesses in the State, with the assistance of the Department of Education (Department), Hawaiian cultural organizations, and Hawaiian language experts, should incorporate Hawaiian language in their daily operations to ensure that the Hawaiian language will continue to flourish.

Your Committee notes the concern raised in the testimony from the Department that this measure would request the Department to provide educational support and resources for people who are not students, which does not align with the Department’s vision and mission. Your Committee also notes that the Department provides Hawaiian language courses through the Community School for Adults at multiple locations, online and in-person.

Your Committee has amended this measure by:

- (1) Inserting language requesting the Department to make Hawaiian language courses available at all forty-three public high schools; and
- (2) Making 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.C.R. No. 68, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 68, S.D. 1.

Signed by the President on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Ihara, Richards).

SCRep. 3575 Hawaiian Affairs on S.R. No. 56

The purpose and intent of this measure is to request:

- (1) Businesses in Hawaii to incorporate Hawaiian language in their daily operations;
- (2) The Department of Education to develop and implement programs to teach employees Hawaiian; and
- (3) The Department of Education to hire permanent Hawaiian language teachers.

Your Committee received testimony in support of this measure from the Association of Hawaiian Civic Clubs and three individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Hawaiian language, also known as ‘Ōlelo Hawai‘i, holds cultural significance and is an integral part of the State’s rich heritage. Your Committee further finds that encouraging the use of Hawaiian language in business operations is a positive step toward cultural enrichment and linguistic diversity that will create opportunities for the permanent employment of Hawaiian language teachers. Your Committee believes that businesses in the State, with the assistance of the Department of Education (Department), Hawaiian cultural organizations, and Hawaiian language experts, should incorporate Hawaiian language in their daily operations to ensure that the Hawaiian language will continue to flourish.

Your Committee notes the concern raised in the testimony from the Department that this measure would request the Department to provide educational support and resources for people who are not students, which does not align with the Department’s vision and mission. Your Committee also notes that the Department provides Hawaiian language courses through the Community School for Adults at multiple locations, online and in-person.

Your Committee has amended this measure by:

- (1) Inserting language requesting the Department to make Hawaiian language courses available at all forty-three public high schools; and
- (2) Making 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. 56, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 56, S.D. 1.

Signed by the President on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Ihara, Richards).

SCRep. 3576 (Joint) Hawaiian Affairs and Health and Human Services on S.C.R. No. 166

The purpose and intent of this measure is to reaffirm the State’s commitment to providing culturally appropriate resources, services, and programs for Native Hawaiian individuals and families experiencing intellectual development disabilities.

Your Committees received testimony in support of this measure from the Department of Health; Department of Education; Department of Human Services; State Council on Developmental Disabilities; Office of Hawaiian Affairs; Autism Support and Disabilities Center, Inc.; AlohaCare; ‘Apoākea Native Hawaiian Innovation Institute; Full Life Hawaii; and four individuals.

Your Committees find that the State has committed to improving the quality of life of individuals experiencing intellectual and developmental disabilities, many of whom are Native Hawaiian. Your Committees further find that Native Hawaiians also disproportionately face underdiagnosis, which is indicative of systemic disparities and increased vulnerabilities. Traditional Native Hawaiian family-based communal structures established systems of effective care for individuals of all ages, including the most vulnerable members of society. Your Committees believe that providing culturally appropriate resources, services, and programs for Native Hawaiian individuals and families experiencing intellectual and developmental disabilities would ensure that services reflect their needs and cultural realities.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 166, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 166, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Richards).
Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3577 (Joint) Hawaiian Affairs and Health and Human Services on S.R. No. 140

The purpose and intent of this measure is to reaffirm the State’s commitment to providing culturally appropriate resources, services, and programs for Native Hawaiian individuals and families experiencing intellectual development disabilities.

Your Committees received testimony in support of this measure from the Department of Health; Department of Education; Department of Human Services; State Council on Developmental Disabilities; Office of Hawaiian Affairs; Autism Support and Disabilities Center, Inc.; AlohaCare; ‘Apoākea Native Hawaiian Innovation Institute; and three individuals.

Your Committees find that the State has committed to improving the quality of life of individuals experiencing intellectual and developmental disabilities, many of whom are Native Hawaiian. Your Committees further find that Native Hawaiians also disproportionately face underdiagnosis, which is indicative of systemic disparities and increased vulnerabilities. Traditional Native Hawaiian family-based communal structures established systems of effective care for individuals of all ages, including the most vulnerable members of society. Your Committees believe that providing culturally appropriate resources, services, and programs for

Native Hawaiian individuals and families experiencing intellectual and developmental disabilities would ensure that services reflect their needs and cultural realities.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 140, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 140, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Richards).

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3578 Judiciary on S.C.R. No. 155

The purpose and intent of this measure is to request the Hawaii Professional Chapter of the Society of Professional Journalists to establish a process to evaluate and identify sources of news that adhere to ethical and objective journalistic standards to help the public distinguish those that may proliferate misinformation.

Your Committee received testimony in support of this measure from CARES.

Your Committee received testimony in opposition to this measure from eight individuals.

Your Committee received comments on this measure from All Hawaii News and two individuals.

Your Committee finds that the Society of Professional Journalists and objective news adhere to a code of ethics and journalistic standards that can ensure objective reporting, truth, and prevent the spread of misinformation. Your Committee further finds that the proliferation of social media has enabled some organizations and individuals with broad reach presenting themselves as news sources to intentionally or inadvertently spread misinformation, making it difficult for the average person to distinguish truth from fiction. Your Committee believes that the Hawaii Professional Chapter of the Society of Professional Journalists has a responsibility to ensure that information is reported with accuracy and objectivity in accordance with ethical standards. This measure will help arm the public with a means to distinguish between truth and misinformation.

Your Committee notes that the intent of this measure is to request the Hawaii Professional Chapter of the Society of Professional Journalists to develop a process an individual can use to separate fact from fiction, not a list of approved and disapproved news sources.

Your Committee has amended this measure by:

- (1) Replacing language that would have requested the Hawaii Professional Chapter of the Society of Professional Journalists to establish a process to evaluate and identify sources of news that adhere to ethical and objective journalistic standards to help the public distinguish those that may proliferate misinformation with language requesting the Chapter to recommend a process that individuals can utilize to evaluate and identify whether or not news sources adhere to ethical and objective standards;
- (2) Inserting language requesting the Hawaii Professional Chapter of the Society of Professional Journalists to submit a report of its findings and recommendations to the Legislature no later than forty days prior to the convening of the Regular Session of 2025; and
- (3) Amending its title in accordance with its amended purpose.

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. 155, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 155, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Awa).

SCRep. 3579 Judiciary on S.R. No. 132

The purpose and intent of this measure is to request the Hawaii Professional Chapter of the Society of Professional Journalists to establish a process to evaluate and identify sources of news that adhere to ethical and objective journalistic standards to help the public distinguish those that may proliferate misinformation.

Your Committee received testimony in support of this measure from two individuals.

Your Committee received testimony in opposition to this measure from thirty-seven individuals.

Your Committee finds that the Society of Professional Journalists and objective news adhere to a code of ethics and journalistic standards that can ensure objective reporting, truth, and prevent the spread of misinformation. Your Committee further finds that the proliferation of social media has enabled some organizations and individuals with broad reach presenting themselves as news sources to intentionally or inadvertently spread misinformation, making it difficult for the average person to distinguish truth from fiction. Your Committee believes that the Hawaii Professional Chapter of the Society of Professional Journalists has a responsibility to ensure that information is reported with accuracy and objectivity in accordance with ethical standards. This measure will help arm the public with a means to distinguish between truth and misinformation.

Your Committee notes that the intent of this measure is to request the Hawaii Professional Chapter of the Society of Professional Journalists to develop a process an individual can use to separate fact from fiction, not a list of approved and disapproved news sources.

Your Committee has amended this measure by:

- (1) Replacing language that would have requested the Hawaii Professional Chapter of the Society of Professional Journalists to establish a process to evaluate and identify sources of news that adhere to ethical and objective journalistic standards to help the public distinguish those that may proliferate misinformation with language requesting the Chapter to recommend a process that individuals can utilize to evaluate and identify whether or not news sources adhere to ethical and objective standards;
- (2) Inserting language requesting the Hawaii Professional Chapter of the Society of Professional Journalists to submit a report of its findings and recommendations to the Legislature no later than forty days prior to the convening of the Regular Session of 2025; and
- (3) Amending its title in accordance with its amended purpose.

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. 132, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 132, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Awa).

SCRep. 3580 (Joint) Agriculture and Environment and Judiciary on S.C.R. No. 164

The purpose and intent of this measure is to:

- (1) Urge the Department of Agriculture to establish a two-year Agricultural Crime Pilot Project to examine and assess the effectiveness of prosecuting agricultural crime cases, including those of agricultural theft and agricultural vandalism, in the State; and
- (2) Request the Department of Agriculture to:
 - (A) Examine and assess the effectiveness of prosecuting agricultural crimes;
 - (B) Coordinate with the Department of Law Enforcement and each of the four counties to hire enforcement officers for each county;
 - (C) Assess the implementation of the pilot project, including the pilot project's effectiveness, to determine whether to continue, make permanent, or end the pilot project;
 - (D) Submit an interim report to the Legislature before the Regular Session of 2025; and
 - (E) Submit a final report to the Legislature before the Regular Session of 2026.

Your Committees received testimony in support of this measure from the Department of Agriculture; Department of Law Enforcement; County of Hawaii Office of the Prosecuting Attorney; Hawaii Cattlemen's Council, Inc.; Hawai'i Farm Bureau; and sixteen individuals.

Your Committees received comments on this measure from the Kapalama Neighborhood Security Watch.

Your Committees find that greater protections are needed for farmers and ranchers in the State. Your Committees recognize that agricultural crimes, including agricultural theft, vandalism, and trespass, increase the costs of production and decrease the chances for local farming and ranching operations to succeed. Your Committees note that the Legislature passed Act 217, Session Laws of Hawaii 2019, which established a two-year Agricultural Theft and Vandalism Pilot Program to examine the effectiveness of prosecuting agricultural theft and vandalism cases in the counties of Hawaii and Maui, including cases of theft and vandalism that affect individuals who are not full-time farmers or ranchers. The requested actions in this measure seek to decrease agricultural crimes and provide resources to suppress incidences and losses to farmers, ranchers, aquaculturists, and floriculturists in the State.

Your Committees further note that a joint informational briefing was held earlier this legislative session to address the safety issues faced by farmers and ranchers in relation to agriculture-related crimes by identifying the root of these issues, addressing previous roadblocks, and identifying potential solutions. Amendments to this measure are therefore necessary to incorporate proposed solutions from this informational briefing.

Accordingly, your Committees have amended this measure by:

- (1) Specifying that trespass is a category of agricultural crime;
- (2) Inserting language that requests the Department of Agriculture to:
 - (A) Create a Crimestoppers Anonymous phone line specifically for individuals who wish to report an agricultural crime but do not wish to be named;
 - (B) Create a more comprehensive, accessible online form that makes it easier for farmers and ranchers to report agricultural crimes; and
 - (C) Coordinate with the Department of Law Enforcement to form an Agricultural Crime Task Force; provided that an interpreter be a part of the Task Force through the Department of Agriculture that can represent farmers who may speak languages other than English;
- (3) Amending its title to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees also note that other states, including Montana and Texas, have established Agricultural and Livestock Commissions and further find that the establishment of an Agricultural and Livestock Commission in the State would augment and enhance current law enforcement efforts on agricultural crimes. Your Committees additionally find that the establishment of an Agricultural and Livestock Commission modeled after those in other states will allow for coordination and sharing of information between state and federal agencies, ensure that policy initiatives pertaining to the livestock and agricultural sectors are adequately represented and enforced, and allow for a separate, dedicated branch of the Department of Law Enforcement to conduct professional law enforcement investigations to solve and prevent livestock and agriculture-related criminal activities in the State. As such, your Committees respectfully request that the Department of Agriculture or other appropriate agency establish an Agricultural and Livestock Commission to be part of the conversation in regards to agricultural crimes.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Judiciary that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 164, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 164, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

Judiciary: Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 3581 (Joint) Agriculture and Environment and Judiciary on S.R. No. 138

The purpose and intent of this measure is to:

- (1) Urge the Department of Agriculture to establish a two-year Agricultural Crime Pilot Project to examine and assess the effectiveness of prosecuting agricultural crime cases, including those of agricultural theft and agricultural vandalism, in the State; and
- (2) Request the Department of Agriculture to:
 - (A) Examine and assess the effectiveness of prosecuting agricultural crimes;
 - (B) Coordinate with the Department of Law Enforcement and each of the four counties to hire enforcement officers for each county;
 - (C) Assess the implementation of the pilot project, including the pilot project's effectiveness, to determine whether to continue, make permanent, or end the pilot project;
 - (D) Submit an interim report to the Legislature before the Regular Session of 2025; and
 - (E) Submit a final report to the Legislature before the Regular Session of 2026.

Your Committee received testimony in support of this measure from the Department of Agriculture; Department of Law Enforcement; Hawaii Cattlemen's Council, Inc.; Hawai'i Farm Bureau; Kapapala Ranch; and two individuals.

Your Committees find that greater protections are needed for farmers and ranchers in the State. Your Committees recognize that agricultural crimes, including agricultural theft, vandalism, and trespass, increase the costs of production and decrease the chances for local farming and ranching operations to succeed. Your Committees note that the Legislature passed Act 217, Session Laws of Hawaii 2019, which established a two-year Agricultural Theft and Vandalism Pilot Program to examine the effectiveness of prosecuting agricultural theft and vandalism cases in the counties of Hawaii and Maui, including cases of theft and vandalism that affect individuals who are not full-time farmers or ranchers. The requested actions in this measure seek to decrease agricultural crimes and provide resources to suppress incidences and losses to farmers, ranchers, aquaculturists, and floriculturists in the State.

Your Committees further note that a joint informational briefing was held earlier this legislative session to address the safety issues faced by farmers and ranchers in relation to agriculture-related crimes by identifying the root of these issues, addressing previous roadblocks, and identifying potential solutions. Amendments to this measure are therefore necessary to incorporate proposed solutions from this informational briefing.

Accordingly, your Committees have amended this measure by:

- (1) Specifying that trespass is a category of agricultural crime;
- (2) Inserting language that requests the Department of Agriculture to:
 - (A) Create a Crimestoppers Anonymous phone line specifically for individuals who wish to report an agricultural crime but do not wish to be named;
 - (B) Create a more comprehensive, accessible online form that makes it easier for farmers and ranchers to report agricultural crimes; and
 - (C) Coordinate with the Department of Law Enforcement to form an Agricultural Crime Task Force; provided that an interpreter be a part of the Task Force through the Department of Agriculture that can represent farmers who may speak languages other than English;
- (3) Amending its title to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees also note that other states, including Montana and Texas, have established Agricultural and Livestock Commissions and further find that the establishment of an Agricultural and Livestock Commission in the State would augment and enhance current law enforcement efforts on agricultural crimes. Your Committees additionally find that the establishment of an

Agricultural and Livestock Commission modeled after those in other states will allow for coordination and sharing of information between state and federal agencies, ensure that policy initiatives pertaining to the livestock and agricultural sectors are adequately represented and enforced, and allow for a separate, dedicated branch of the Department of Law Enforcement to conduct professional law enforcement investigations to solve and prevent livestock and agriculture-related criminal activities in the State. As such, your Committees respectfully request that the Department of Agriculture or other appropriate agency establish an Agricultural and Livestock Commission to be part of the conversation in regards to agricultural crimes.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Judiciary that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 138, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 138, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

Judiciary: Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 3582 Judiciary on S.C.R. No. 213

The purpose and intent of this measure is to request the Office of the Administrative Director of the Courts 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, ACLU of Hawai'i, Policy Advocacy Clinic at Berkley Law, Stonewall Caucus of the Democratic Party of Hawai'i, and Hawai'i Friends of Restorative Justice.

Your Committee finds that charging fees, fines, costs, and restitution to youth can be harmful to young people and their families while disproportionately impacting Native Hawaiian, Pacific Islander, and Black youth. Your Committee further finds that more than sixteen states in the United States have eliminated or prohibited the imposition of fees or fines, or both, on young people and their families. Your Committee believes that current data is necessary to better understand the statewide and county-specific imposition and impact of fees, court costs, fines, and restitution on young people and their families in the State. This measure will allow the State to better understand how to improve the criminal justice system and increase fairness statewide.

Your Committee has amended this measure by:

- (1) Updating and clarifying data, research, and sources referenced in the findings;
- (2) Specifying that current data is needed to better understand the statewide and county-specific imposition and impact of fees, court costs, fines, and restitution on young people and their families in the State;
- (3) Inserting language requesting the data collected, compiled, and shared by the Office of the Administrative Director of the Courts to be provided as a statewide aggregate and by court circuit;
- (4) Inserting language requesting the Office of the Administrative Director of the Courts to report to the Legislature no later than forty days prior to the convening of the Regular Session of 2025, instead of twenty days, post the Office's report on the Judiciary's public website, and provide a copy of the report to the Judicial Council;
- (5) Inserting language requesting the Judicial Council to consult the report during the next Penal Code review; 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 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, 3. Noes, none. Excused, 2 (San Buenaventura, Awa).

SCRep. 3583 Judiciary on S.R. No. 189

The purpose and intent of this measure is to request the Office of the Administrative Director of the Courts 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, ACLU of Hawai'i, Policy Advocacy Clinic at Berkley Law, and Hawai'i Friends of Restorative Justice.

Your Committee finds that charging fees, fines, costs, and restitution to youth can be harmful to young people and their families while disproportionately impacting Native Hawaiian, Pacific Islander, and Black youth. Your Committee further finds that more than sixteen states in the United States have eliminated or prohibited the imposition of fees or fines, or both, on young people and their families. Your Committee believes that current data is necessary to better understand the statewide and county-specific imposition and impact of fees, court costs, fines, and restitution on young people and their families in the State. This measure will allow the State to better understand how to improve the criminal justice system and increase fairness statewide.

Your Committee has amended this measure by:

- (1) Updating and clarifying data, research, and sources referenced in the findings;
- (2) Specifying that current data is needed to better understand the statewide and county-specific imposition and impact of fees, court costs, fines, and restitution on young people and their families in the State;

- (3) Inserting language requesting the data collected, compiled, and shared by the Office of the Administrative Director of the Courts to be provided as a statewide aggregate and by court circuit;
- (4) Inserting language requesting the Office of the Administrative Director of the Courts to report to the Legislature no later than forty days prior to the convening of the Regular Session of 2025, instead of twenty days, post the Office's report on the Judiciary's public website, and provide a copy of the report to the Judicial Council;
- (5) Inserting language requesting the Judicial Council to consult the report during the next Penal Code review; 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 concurs with the intent and purpose of S.R. No. 189, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 189, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Awa).

SCRep. 3584 Government Operations on S.C.R. No. 46

The purpose and intent of this measure is to request the Department of Accounting and General Services to:

- (1) Establish a working group to plan and construct a Hawaii First Responders Memorial;
- (2) Coordinate all matters regarding the Hawaii First Responders Memorial either through private funds or funds allocated by the Legislature; and
- (3) Submit a report of the working group's plans, including findings, recommendations, projected costs, and any necessary legislation, to the Legislature by November 30, 2024.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and Hawaii Law Enforcement Memorial Foundation.

Your Committee finds that the construction of a first responders memorial in the State is an appropriate way to recognize and honor the first State's responders for the selfless sacrifices they have made to bravely serve the public. According to testimony received by your Committee, a Hawaii first responders memorial would provide a place where family, friends, fellow first responders, and the public can visit and remember those who died in the line of duty. This measure facilitates the construction of the memorial by requesting that a working group of relevant stakeholders submit a report including plans and projected costs of the memorial to the Legislature before November 30, 2024.

Your Committee has amended this measure by:

- (1) Amending the list of recipients of certified copies to include the Chief of the Ocean Safety Bureau of the Maui County Department of Fire and Public Safety and the head of the Ocean Safety Bureau of the Kauai Fire Department; and
- (2) Making 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. 46, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 46, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Wakai, Awa).

SCRep. 3585 Government Operations on S.R. No. 34

The purpose and intent of this measure is to request the Department of Accounting and General Services to:

- (1) Establish a working group to plan and construct a Hawaii First Responders Memorial;
- (2) Coordinate all matters regarding the Hawaii First Responders Memorial either through private funds or funds allocated by the Legislature; and
- (3) Submit a report of the working group's plans, including findings, recommendations, projected costs, and any necessary legislation, to the Legislature by November 30, 2024.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and Hawaii Law Enforcement Memorial Foundation.

Your Committee finds that the construction of a first responders memorial in the State is an appropriate way to recognize and honor the first State's responders for the selfless sacrifices they have made to bravely serve the public. According to testimony received by your Committee, a Hawaii first responders memorial would provide a place where family, friends, fellow first responders, and the public can visit and remember those who died in the line of duty. This measure facilitates the construction of the memorial by requesting that a working group of relevant stakeholders submit a report including plans and projected costs of the memorial to the Legislature before November 30, 2024.

Your Committee has amended this measure by:

- (1) Amending the list of recipients of certified copies to include the Chief of the Ocean Safety Bureau of the Maui County Department of Fire and Public Safety and the head of the Ocean Safety Bureau of the Kauai Fire Department; and

- (2) Making 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. 34, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 34, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Wakai, Awa).

SCRep. 3586 Government Operations on S.C.R. No. 174

The purpose and intent of this measure is to request:

- (1) The Legislature to convene a task force to develop a Twenty-First Century Data Governance Task Force (Task Force) to assess current demographic data collection, processing, retention, and sharing procedures utilized by all state agencies;
- (2) The Task Force to submit a report of its findings and recommendations to the Legislature before the Regular Session of 2025; and
- (3) The Task Force to dissolve on June 30, 2025.

Your Committee received testimony in support of this measure from the Department of Health, Office of Planning and Sustainable Development, Office of Enterprise Technology Services, and Hawaii Data Collaborative.

Your Committee finds that 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. Given the diversity of languages and cultures in the State, the uniform collection and sharing of data specific to Asian Americans, Native Hawaiians, and other Pacific Islanders is critical to understanding the distinct needs of these communities. The Task Force established by this measure will help the State shape programs and policies that strategically target those most in need and advance more equitable outcomes for all communities in the State.

Your Committee recognizes that this measure does not designate the lead agency to convene the Task Force requested in this measure or the person to serve as its chairperson. Therefore, this measure needs to be amended to address these matters.

Accordingly, your Committee has amended this measure by:

- (1) Requesting the Department of Health, rather than the Legislature, to convene the Task Force;
- (2) Amending the composition of the Task Force by replacing the Director of the Department of Health's Office of Health Equity with the Director of Health or the Director's designee;
- (3) Inserting language that requests the Director of Health or the Director's designee to serve as the chairperson of the Task Force;
- (4) Amending the list of recipients of certified copies by replacing the Director of the Department of Health's Office of Health Equity with the Director of Health;
- (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 Government Operations that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 174, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 174, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Wakai, Awa).

SCRep. 3587 Government Operations on S.R. No. 150

The purpose and intent of this measure is to request:

- (1) The Legislature to convene a task force to develop a Twenty-First Century Data Governance Task Force (Task Force) to assess current demographic data collection, processing, retention, and sharing procedures utilized by all state agencies;
- (2) The Task Force to submit a report of its findings and recommendations to the Legislature before the Regular Session of 2025; and
- (3) The Task Force to dissolve on June 30, 2025.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development and Office of Enterprise Technology Services.

Your Committee finds that 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. Given the diversity of languages and cultures in the State, the uniform collection and sharing of data specific to Asian Americans, Native Hawaiians, and other Pacific Islanders is critical to understanding the distinct needs of these communities. The Task Force established by this measure will help the State shape programs and policies that strategically target those most in need and advance more equitable outcomes for all communities in the State.

Your Committee recognizes that this measure does not designate the lead agency to convene the Task Force requested in this measure or the person to serve as its chairperson. Therefore, this measure needs to be amended to address these matters.

Accordingly, your Committee has amended this measure by:

- (1) Requesting the Department of Health, rather than the Legislature, to convene the Task Force;
- (2) Amending the composition of the Task Force by replacing the Director of the Department of Health's Office of Health Equity with the Director of Health or the Director's designee;
- (3) Inserting language that requests the Director of Health or the Director's designee to serve as the chairperson of the Task Force;
- (4) Amending the list of recipients of certified copies by replacing the Director of the Department of Health's Office of Health Equity with the Director of Health;
- (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 Government Operations that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 150, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 150, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Wakai, Awa).

SCRep. 3588 Government Operations on S.C.R. No. 228

The purpose and intent of this measure is to urge the federal government to reimburse Hawaii for the removal of debris, dredging of toxic materials, and other environmental cleanup efforts in Lahaina Harbor.

Your Committee did not receive any testimony on this measure.

Your Committee finds that Lahaina Harbor's waters are inundated with debris and toxic chemicals resulting from the August 2023 Maui wildfires. Your Committee also recognizes the concerns raised during the public hearing for this measure that failure to engage in the environmental cleanup of Lahaina Harbor now with federal funds could have greater impacts later on. Accordingly, this measure will help the State offset the high costs of recovery as the County of Maui continues to rebuild.

Your Committee notes that, in meeting with the Department of Land and Natural Resources (DLNR), it was represented that a request for reimbursement of the cost for debris removal was denied by the federal government; however, the Federal Emergency Management Agency (FEMA), in response to subsequent inquiries, responded that it never received such a request from DLNR and is open to it. Your Committee hopes that DLNR and FEMA will come to the table to discuss this matter before subsequent deliberations of this measure, as there is a time limit to request federal funds for this important cleanup.

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. 228 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Wakai, Awa).

SCRep. 3589 Government Operations on S.R. No. 204

The purpose and intent of this measure is to urge the federal government to reimburse Hawaii for the removal of debris, dredging of toxic materials, and other environmental cleanup efforts in Lahaina Harbor.

Your Committee did not receive any testimony on this measure.

Your Committee finds that Lahaina Harbor's waters are inundated with debris and toxic chemicals resulting from the August 2023 Maui wildfires. Your Committee also recognizes the concerns raised during the public hearing for this measure that failure to engage in the environmental cleanup of Lahaina Harbor now with federal funds could have greater impacts later on. Accordingly, this measure will help the State offset the high costs of recovery as the County of Maui continues to rebuild.

Your Committee notes that, in meeting with the Department of Land and Natural Resources (DLNR), it was represented that a request for reimbursement of the cost for debris removal was denied by the federal government; however, the Federal Emergency Management Agency (FEMA), in response to subsequent inquiries, responded that it never received such a request from DLNR and is open to it. Your Committee hopes that DLNR and FEMA will come to the table to discuss this matter before subsequent deliberations of this measure, as there is a time limit to request federal funds for this important cleanup.

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. 204 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Wakai, Awa).

SCRep. 3590 (Joint) Water and Land and Housing on S.C.R. No. 55

The purpose and intent of this measure is to urge the Hawaii Community Development Authority to establish a multiagency working group to update maps, tier tables, and inventories of state lands suitable and available for affordable housing development.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services, Hawaii Housing Finance and Development Corporation, and two individuals.

Your Committees received comments on this measure from the Office of Planning and Sustainable Development and Hawai'i Community Development Authority.

Your Committees find that Hawaii has been in the midst of a housing shortage for decades. A 2015 report by the Department of Business, Economic Development and Tourism titled "Measuring Housing Demand in Hawaii, 2015-2025" projected that housing demand will exceed sixty thousand units, with nearly seventy percent needed for households earning eighty percent or less of the Area Median Income. Your Committees conclude that updates to the maps, tier tables, and inventories of state lands will be a helpful tool for the development of new affordable housing.

Your Committees recognize that resources are needed for the Hawaii Community Development Authority as well as for infrastructure needs for the future.

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 Water and Land and Housing that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 55, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 55, S.D. 1.

Signed by the Chairs on behalf of the Committees.
 Water and Land: Ayes, 4. Noes, none. Excused, 1 (McKelvey).
 Housing: Ayes, 3. Noes, none. Excused, 2 (Aquino, Awa).

SCRep. 3591 (Joint) Water and Land and Housing on S.R. No. 44

The purpose and intent of this measure is to urge the Hawaii Community Development Authority to establish a multiagency working group to update maps, tier tables, and inventories of state lands suitable and available for affordable housing development.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services and Hawaii Housing Finance and Development Corporation.

Your Committees received comments on this measure from the Office of Planning and Sustainable Development and Hawai'i Community Development Authority.

Your Committees find that Hawaii has been in the midst of a housing shortage for decades. A 2015 report by the Department of Business, Economic Development and Tourism titled "Measuring Housing Demand in Hawaii, 2015-2025" projected that housing demand will exceed sixty thousand units, with nearly seventy percent needed for households earning eighty percent or less of the Area Median Income. Your Committees conclude that updates to the maps, tier tables, and inventories of state lands will be a helpful tool for the development of new affordable housing.

Your Committees recognize that resources are needed for the Hawaii Community Development Authority as well as for infrastructure needs for the future.

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 Water and Land and Housing that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 44, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 44, S.D. 1.

Signed by the Chairs on behalf of the Committees.
 Water and Land: Ayes, 4. Noes, none. Excused, 1 (McKelvey).
 Housing: Ayes, 3. Noes, none. Excused, 2 (Aquino, Awa).

SCRep. 3592 (Joint) Water and Land and Health and Human Services on S.C.R. No. 218

The purpose and intent of this measure is to request the Department of Land and Natural Resources to conduct a feasibility study to assess reasonable accommodations for beach access for persons with disabilities.

Your Committees received testimony in support of this measure from the Executive Office on Aging and two individuals.

Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that beach access for persons with disabilities, including veterans, is extremely limited, especially for those in wheelchairs. Your Committees further find that although there is beach wheelchair access at certain beaches in the State, it is not available at most beaches, preventing residents and visitors with disabilities from enjoying the State's beaches. To ensure equitable access to the State's beaches, your Committees conclude that the Department of Land and Natural Resources should conduct a feasibility study to assess the provision and maintenance of reasonable accommodations for persons with disabilities so that those persons may have access to the shoreline of any beach that has a public restroom within an ocean recreation management area.

As affirmed by the records of votes of the members of your Committees on Water and Land and Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 218 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.
 Water and Land: Ayes, 4. Noes, none. Excused, 1 (Chang).
 Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Awa).

SCRep. 3593 (Joint) Water and Land and Health and Human Services on S.R. No. 194

The purpose and intent of this measure is to request the Department of Land and Natural Resources to conduct a feasibility study to assess reasonable accommodations for beach access for persons with disabilities.

Your Committee received testimony in support of this measure from the Executive Office on Aging.

Your Committees find that beach access for persons with disabilities, including veterans, is extremely limited, especially for those in wheelchairs. Your Committees further find that although there is beach wheelchair access at certain beaches in the State, it is not available at most beaches, preventing residents and visitors with disabilities from enjoying the State's beaches. To ensure equitable access to the State's beaches, your Committees conclude that the Department of Land and Natural Resources should conduct a feasibility study to assess the provision and maintenance of reasonable accommodations for persons with disabilities so that those persons may have access to the shoreline of any beach that has a public restroom within an ocean recreation management area.

As affirmed by the records of votes of the members of your Committees on Water and Land and Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 194 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 4. Noes, none. Excused, 1 (Chang).

Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Awa).

SCRep. 3594 Water and Land on S.R. No. 104

The purpose and intent of this measure is to request the Department of Land and Natural Resources to work with the National Oceanic and Atmospheric Administration and other experts to conduct a study on the population status of depleted coral reef herbivores around the island of Oahu and develop effective alternative policies for substantially replenishing those populations within a decade.

Your Committee received testimony in support of this measure from Department of Land and Natural Resources, Hawai'i Reef and Ocean Coalition, Friends of Hanauma Bay, The Nature Conservancy, Restore the Commons, Global March for Elephants and Rhinos, Ocean Preservation Society, Miloli'i Makai Watch, and twenty-one individuals.

Your Committee finds that coral reefs are fundamental to the fabric of local communities, providing a source of food, materials, and traditional activities, in addition to ecological and economic benefits. The maintenance and recovery of coral reefs requires an abundant and diverse population of coral reef herbivores. The population of these fish around the island of Oahu is five percent below its potential. Your Committee recognizes the importance of herbivorous reef fish to the health of coral reef ecosystems and finds that a study on the population status of various herbivore fish species will help increase the population of these species around the island of Oahu.

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 Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 104, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 104, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3595 Water and Land on S.R. No. 152

The purpose and intent of this measure is to urge the Department of Land and Natural Resources and Board of Land and Natural Resources to adopt certain procedures relating to the Dam and Appurtenance Improvement or Removal Grant Program to assist applicants in obtaining grants.

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.

Your Committee finds that the Dam and Appurtenance Improvement or Removal Grant Program provides funding to owners of private dams for plans, design, construction, and equipment to improve or remove deficient dams and appurtenances, as determined by the Department of Land and Natural Resources (Department). However, grant applicants are subject to the discretion and uneven application of criteria by the Department and Board of Land and Natural Resources (Board), which discourages applicants from improving these structures. Your Committee maintains that the Board and Department should clarify and communicate to the public the criteria it develops for the award of grants from the Dam and Appurtenance Improvement or Removal Grant Program to assist applicants in their efforts to maintain or improve existing dam infrastructure.

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 Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 152, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 152, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3596 (Joint) Transportation and Culture and the Arts and Agriculture and Environment on S.C.R. No. 106

The purpose and intent of this measure is to urge the Department of Health, Department of Transportation, and Department of Land and Natural Resources to take action to reduce the carbon emissions arising from airplane transportation to and from the State.

Your Committees received testimony in support of this measure from Citizens' Climate Lobby Hawaii and one individual.

Your Committees received comments on this measure from the Department of the Attorney General and Hawaiian Airlines.

Your Committees find that the Hawaiian islands are the most remote inhabited archipelago from any continental land mass, to and from which air transportation is the only means of rapid travel. Your Committees further find that multiple possibilities exist to address carbon emissions caused by air travel to and from the State, that include but are not limited to offsetting the carbon contributions from visitors, adjusting the number of visitors coming to the State, and requiring airlines operating in the State to use technology that has a lower carbon output. Your Committees conclude that reducing emissions requires governmental action from both the Legislature and by state departments and agencies.

Your Committees have amended this measure by:

- (1) Clarifying that the Department of Health, Department of Transportation, and Department of Land and Natural Resources are urged to take any action possible to reduce the carbon emissions arising from airplane transportation to and from the State;
- (2) Requesting that the Department of Health, Department of Transportation, and Department of Land and Natural Resources convene a task force to research sustainable aviation fuel and other decarbonization measures for domestic and international travel that can be turned into actual recommendations for the departments and Legislature;
- (3) Requesting that the task force be co-chaired by the Director of Transportation and the Chief Energy Officer of the Hawaii State Energy Office and consist of the following members:
 - (A) A representative from the Department of Health;
 - (B) A representative from the Hawai'i Climate Change Mitigation and Adaptation Commission; and
 - (C) Any members deemed necessary and invited by the co-chairs; 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 Transportation and Culture and the Arts and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 106, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 106, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3597 (Joint) Transportation and Culture and the Arts and Agriculture and Environment on S.R. No. 88

The purpose and intent of this measure is to urge the Department of Health, Department of Transportation, and Department of Land and Natural Resources to take action to reduce the carbon emissions arising from airplane transportation to and from the State.

Your Committees received comments on this measure from Department of the Attorney General and Hawaiian Airlines.

Your Committees find that the Hawaiian islands are the most remote inhabited archipelago from any continental land mass, to and from which air transportation is the only means of rapid travel. Your Committees further find that multiple possibilities exist to address carbon emissions caused by air travel to and from the State, that include but are not limited to offsetting the carbon contributions from visitors, adjusting the number of visitors coming to the State, and requiring airlines operating in the State to use technology that has a lower carbon output. Your Committees conclude that reducing emissions requires governmental action from both the Legislature and by state departments and agencies.

Your Committees have amended this measure by:

- (1) Clarifying that the Department of Health, Department of Transportation, and Department of Land and Natural Resources are urged to take any action possible to reduce the carbon emissions arising from airplane transportation to and from the State;
- (2) Requesting that the Department of Health, Department of Transportation, and Department of Land and Natural Resources convene a task force to research sustainable aviation fuel and other decarbonization measures for domestic and international travel that can be turned into actual recommendations for the departments and Legislature;
- (3) Requesting that the task force be co-chaired by the Director of Transportation and the Chief Energy Officer of the Hawaii State Energy Office and consist of the following members:
 - (A) A representative from the Department of Health;
 - (B) A representative from the Hawai'i Climate Change Mitigation and Adaptation Commission; and
 - (C) Any members deemed necessary and invited by the co-chairs; 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 Transportation and Culture and the Arts and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 88, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 88, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3598 (Joint) Transportation and Culture and the Arts and Agriculture and Environment on S.C.R. No. 140

The purpose and intent of this measure is to request the Department of Transportation to convene a task force to research a green highway program.

Your Committees received testimony in support of this measure from the Department of Transportation, Department of Land and Natural Resources, and one individual.

Your Committees find that green highways offer numerous benefits, including improved air and water quality, reduced noise pollution, enhanced biodiversity, and increased recreational opportunities for residents and visitors. Your Committees further find that the implementation of a green highway program aligns with statewide goals for environmental stewardship, climate resilience, and sustainable development, and will contribute to a healthier and more resilient future for the State's communities. Your Committees conclude that the Department of Transportation must take proactive steps to explore and implement initiatives like green highways to achieve the State's climate mitigation goals.

Your Committees have amended this measure by:

- (1) Deleting language that would have requested the Department of Transportation to convene a task force to research and develop a green highway program;
- (2) Removing the Director of Transportation and the Chairperson of the Board of Land and Natural Resources from the membership of the task force;
- (3) Inserting language requesting the task force to include a representative from the Department of Transportation and Department of Land and Natural Resources and any other representative with subject matter expertise, to be selected and invited by the chairpersons of the task force;
- (4) Inserting language requesting the President of the Senate and Speaker of the House of Representatives to appoint the co-chairpersons of the task force;
- (5) Inserting language requesting the task force to:
 - (A) Develop green highway standards to address urban temperatures, stormwater retention, unsightly infrastructure impacting tourism, and mental health; and
 - (B) Examine best examples and practices in places that successfully implement green highway infrastructure;
- (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 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 concur with the intent and purpose of S.C.R. No. 140, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 140, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3599 (Joint) Transportation and Culture and the Arts and Agriculture and Environment on S.R. No. 121

The purpose and intent of this measure is to request the Department of Transportation to convene a task force to research a green highway program.

Your Committee received testimony in support of this measure from the Department of Transportation and Department of Land and Natural Resources.

Your Committees find that green highways offer numerous benefits, including improved air and water quality, reduced noise pollution, enhanced biodiversity, and increased recreational opportunities for residents and visitors. Your Committees further find that the implementation of a green highway program aligns with statewide goals for environmental stewardship, climate resilience, and sustainable development, and will contribute to a healthier and more resilient future for the State's communities. Your Committees conclude that the Department of Transportation must take proactive steps to explore and implement initiatives like green highways to achieve the State's climate mitigation goals.

Your Committees have amended this measure by:

- (1) Deleting language that would have requested the Department of Transportation to convene a task force to research and develop a green highway program;
- (2) Removing the Director of Transportation and the Chairperson of the Board of Land and Natural Resources from the membership of the task force;
- (3) Inserting language requesting the task force to include a representative from the Department of Transportation and Department of Land and Natural Resources and any other representative with subject matter expertise, to be selected and invited by the chairpersons of the task force;
- (4) Inserting language requesting the President of the Senate and Speaker of the House of Representatives to appoint the co-chairpersons of the task force;
- (5) Inserting language requesting the task force to:

- (A) Develop green highway standards to address urban temperatures, stormwater retention, unsightly infrastructure impacting tourism, and mental health; and
- (B) Examine best examples and practices in places that successfully implement green highway infrastructure;
- (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 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 concur with the intent and purpose of S.R. No. 121, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 121, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3600 (Joint) Energy, Economic Development, and Tourism and Water and Land on S.C.R. No. 89

The purpose and intent of this measure is to request that the Hawaii State Energy Office and Office of Planning and Sustainable Development develop a plan to implement a waste-to-energy technology solution.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development and three individuals.

Your Committees received testimony in opposition to this measure from Life of the Land, Energy Justice Network, Environmental Caucus of the Democratic Party of Hawai'i, Solid Waste Task Force of the Hawai'i Environmental Change Agents, Zero Waste Kauai, Kaua'i Climate Action Coalition, Green Party of Hawai'i, 350Hawaii.org, Climate Protectors Hawai'i, Kaua'i Group of the Hawaii Chapter of the Sierra Club, and fourteen individuals.

Your Committees received comments on this measure from the Hawaii State Energy Office and Hawaiian Electric.

Your Committees find that waste-to-energy facilities greatly reduce the volume of municipal solid waste that must be stored in a landfill by converting it to ash. Your Committees further find that waste-to-energy technology is a viable solution to reduce the State's solid waste stream, decrease the State's need for landfills, and provide non-fossil fuel electricity to reduce the State's dependency on the global oil market. This measure encourages the planning and implementation of new renewable energy projects, relating to waste-to-energy, to further advance the State's progress in achieving its renewable energy goals.

Your Committees note concerns raised in testimony regarding the current planning and operation of waste-to-energy facilities in the State and that a shortage of trash has hampered the ability of the Honolulu Program of Waste and Energy Recovery to meet its contractual obligations with Covanta Honolulu Resource Venture, leading to approximately \$6,200,000 in penalty and liquidated damage payments. Your Committees further note that narrowly focusing this measure to only include waste-to-energy technology solutions limits the development and attention to other alternative technology solutions and that this measure should be used as a mechanism to determine the best technology strategies to reduce waste and advance the State's renewable energy goals.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language requesting that the Hawaii State Energy Office and the Office of Planning and Sustainable Development develop a plan to implement waste-to-energy and other alternative technology solutions;
- (2) Amending its title to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Water and Land that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 89, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 89, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Kim).

Water and Land: Ayes, 4; Ayes with Reservations (McKelvey). Noes, none. Excused, 1 (Chang).

SCRep. 3601 (Joint) Energy, Economic Development, and Tourism and Water and Land on S.R. No. 75

The purpose and intent of this measure is to request that the Hawaii State Energy Office and Office of Planning and Sustainable Development develop a plan to implement a waste-to-energy technology solution.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development.

Your Committees received testimony in opposition to this measure from the Environmental Caucus of the Democratic Party of Hawai'i, Kaua'i Climate Action Coalition, Green Party of Hawai'i, Energy Justice Network, 350Hawaii.org, Climate Protectors Hawai'i, and sixteen individuals.

Your Committees received comments on this measure from the Hawaii State Energy Office, Hawaiian Electric, and one individual.

Your Committees find that waste-to-energy facilities greatly reduce the volume of municipal solid waste that must be stored in a landfill by converting it to ash. Your Committees further find that waste-to-energy technology is a viable solution to reduce the State's solid waste stream, decrease the State's need for landfills, and provide non-fossil fuel electricity to reduce the State's dependency on the global oil market. This measure encourages the planning and implementation of new renewable energy projects, relating to waste-to-energy, to further advance the State's progress in achieving its renewable energy goals.

Your Committees note concerns raised in testimony regarding the current planning and operation of waste-to-energy facilities in the State and that a shortage of trash has hampered the ability of the Honolulu Program of Waste and Energy Recovery to meet its contractual obligations with Covanta Honolulu Resource Venture, leading to approximately \$6,200,000 in penalty and liquidated damage payments. Your Committees further note that narrowly focusing this measure to only include waste-to-energy technology solutions limits the development and attention to other alternative technology solutions and that this measure should be used as a mechanism to determine the best technology strategies to reduce waste and advance the State's renewable energy goals.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language requesting that the Hawaii State Energy Office and the Office of Planning and Sustainable Development develop a plan to implement waste-to-energy and other alternative technology solutions;
- (2) Amending its title to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Water and Land 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.

Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Kim).

Water and Land: Ayes, 4; Ayes with Reservations (McKelvey). Noes, none. Excused, 1 (Chang).

SCRep. 3602 (Joint) Energy, Economic Development, and Tourism and Higher Education on S.C.R. No. 145

The purpose and intent of this measure is to request stakeholders to update the East-West Center study titled "Hawaii as an East-West Bridge: A Survey of the Economic Value of Non-Tourist International Activities in Hawaii".

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; East-West Center; CARES; and one individual.

Your Committees find that the East-West Center is an institution that was established by the United States Congress in 1960 to promote better relations and understanding among the people and nations of the United States, Asia, and the Pacific through cooperative study, research, and dialogue. Your Committees further find that the East-West Center conducted a study over thirty years ago surveying the economic value of non-tourist international activities in Hawaii. Updating the study would explore the modernized role that these activities play in the State's economy and will provide insight into the diverse economic contributions beyond tourism that the State offers to the global community to further support the State's resilience and competitiveness in the global arena.

Your Committees note that this measure does not contain any specific outcomes, benchmarks, goals, or objectives to be accomplished from updating the East-West Center study. Your Committees further note that although this measure requests stakeholders to update the East-West Center study, only a representative from the East-West Center was present to testify on this measure, making it difficult to determine the efficacy or benefit of this measure without any additional stakeholder input, especially from the Department of Business, Economic Development, and Tourism, whose written testimony suggests an estimate of costs to complete the study.

Your Committees have amended this measure by making a technical, nonsubstantive amendment to its title 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 concur with the intent and purpose of S.C.R. No. 145, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 145, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 4; Ayes with Reservations (Kim). Noes, none. Excused, 1 (Fevella).

Higher Education: Ayes, 4; Ayes with Reservations (Hashimoto, Kidani, Kim). Noes, none. Excused, 1 (Fevella).

SCRep. 3603 (Joint) Energy, Economic Development, and Tourism and Higher Education on S.R. No. 123

The purpose and intent of this measure is to request stakeholders to update the East-West Center study titled "Hawaii as an East-West Bridge: A Survey of the Economic Value of Non-Tourist International Activities in Hawaii".

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and East-West Center.

Your Committees find that the East-West Center is an institution that was established by the United States Congress in 1960 to promote better relations and understanding among the people and nations of the United States, Asia, and the Pacific through cooperative study, research, and dialogue. Your Committees further find that the East-West Center conducted a study over thirty years ago surveying the economic value of non-tourist international activities in Hawaii. Updating the study would explore the modernized role that these activities play in the State's economy and will provide insight into the diverse economic contributions beyond tourism that the State offers to the global community to further support the State's resilience and competitiveness in the global arena.

Your Committees note that this measure does not contain any specific outcomes, benchmarks, goals, or objectives to be accomplished from updating the East-West Center study. Your Committees further note that although this measure requests stakeholders to update the East-West Center study, only a representative from the East-West Center was present to testify on this measure, making it difficult to determine the efficacy or benefit of this measure without any additional stakeholder input, especially from the Department of Business, Economic Development, and Tourism, whose written testimony suggests an estimate of costs to complete the study.

Your Committees have amended this measure by making a technical, nonsubstantive amendment to its title 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 concur with the intent and purpose of S.R. No. 123, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 123, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 4; Ayes with Reservations (Kim). Noes, none. Excused, 1 (Fevella).

Higher Education: Ayes, 4; Ayes with Reservations (Hashimoto, Kidani, Kim). Noes, none. Excused, 1 (Fevella).

SCRep. 3604 (Joint) Commerce and Consumer Protection and Health and Human Services on S.C.R. No. 159

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 biomarker testing.

Your Committees received testimony in support of this measure from the Disability and Communication Access Board, Infusion Access Foundation, American Cancer Society Cancer Action Network, Advanced Medical Technology Association, International Cancer Advocacy Network, Alzheimer's Association-Hawaii, The Michael J. Fox Foundation for Parkinson's Research, Aimed Alliance, Debbie's Dream Foundation: Curing Stomach Cancer, and two individuals.

Your Committees find that biomarker testing, which is the analysis of a patient's tissue, blood, or other biospecimen for the presence of a gene, protein, or other substance that can provide information about a patient's chronic condition, allows for a more precise and personalized approach to medical care. In addition to being able to identify specific genetic, molecular, or biochemical markers associated with an individual's disease, biomarker testing allows health care providers to tailor their treatments to an individual's specific condition. However, your Committees find that despite the many benefits of biomarker testing, the lack of insurance coverage for comprehensive testing creates a financial barrier for many patients who would otherwise greatly benefit from these services.

Your Committees note that H.B. No. 2223, H.D. 1, Regular Session of 2024, proposes to require health insurers, mutual benefit societies, health maintenance organizations, and health plans under the State's Medicaid managed care program to provide coverage for biomarker testing, beginning on January 1, 2025. Section 23—51, Hawaii Revised Statutes, requires new measures mandating 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, to be referred, via concurrent resolution, to the Auditor for analysis. Section 23-52, Hawaii Revised Statutes, specifies the minimum information required for assessing the social and financial impact of the proposed health insurance coverage mandate in the Auditor's report. This measure requests the Auditor to analyze the proposed mandatory health insurance coverage for biomarker testing in accordance with sections 23—51 and 23-52, Hawaii Revised Statutes.

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. 159 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (Aquino, Awa).

SCRep. 3605 (Joint) Commerce and Consumer Protection and Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 182

The purpose and intent of this measure is to urge the Public Utilities Commission to honor and comply with its statutory duty to investigate the causes of the August 2023 Maui wildfires as required by section 269-9, Hawaii Revised Statutes.

Your Committees received testimony in support of this measure from Life of the Land.

Your Committees received comments on this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs and Public Utilities Commission.

Your Committees find that section 269-9, Hawaii Revised Statutes, provides, in relevant part, that the Public Utilities Commission shall "investigate the causes of any accident which results in loss of life, and may investigate any other accidents which in its opinion require investigation". The August 2023 Maui wildfires, which appears to have been initially started by a downed utility pole owned by a Maui electric utility company, resulted in the tragic loss of life of over one hundred people. Your Committees further find that the likely cause of the August 2023 Maui wildfires is well within the Public Utilities Commission's established jurisdiction, resulted in the loss of life, and would reasonably qualify as an accident that would require investigation pursuant to the Public Utilities Commission's discretionary authority. Therefore, this measure urges the Public Utilities Commission to carry out its mandate and conduct an investigation of the August 2023 Maui wildfires. Further, this measure urges the Public Utilities Commission to be more proactive in exercising its administrative authority over electric utilities, to take steps to mitigate future wildfires, and ensure a more resilient and reliable electric grid for the people of the State.

Your Committees have amended this measure by:

- (1) Inserting language urging the Public Utilities Commission to formally open a docket, in accordance with section 269-9, Hawaii Revised Statutes, to investigate the causes of the August 2023 Maui wildfires;
- (2) Inserting language urging the Public Utilities Commission to request from the County of Maui an unredacted version of the investigative findings of the United States Bureau of Alcohol, Tobacco, and Firearms and Explosives (ATF) National Response Team and Honolulu Field Office that were, or will be, provided to the Maui Fire Department for inclusion in the Maui Fire Department's origin and cause report for the August 2023 Maui wildfires; 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 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. 182, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 182, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3606 (Joint) Commerce and Consumer Protection and Public Safety and Intergovernmental and Military Affairs on S.R. No. 156

The purpose and intent of this measure is to urge the Public Utilities Commission to honor and comply with its statutory duty to investigate the causes of the August 2023 Maui wildfires as required by section 269-9, Hawaii Revised Statutes.

Your Committees received testimony in support of this measure from Life of the Land.

Your Committees received comments on this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs and Public Utilities Commission.

Your Committees find that section 269-9, Hawaii Revised Statutes, provides, in relevant part, that the Public Utilities Commission shall “investigate the causes of any accident which results in loss of life, and may investigate any other accidents which in its opinion require investigation”. The August 2023 Maui wildfires, which appears to have been initially started by a downed utility pole owned by a Maui electric utility company, resulted in the tragic loss of life of over one hundred people. Your Committees further find that the likely cause of the August 2023 Maui wildfires is well within the Public Utilities Commission’s established jurisdiction, resulted in the loss of life, and would reasonably qualify as an accident that would require investigation pursuant to the Public Utilities Commission’s discretionary authority. Therefore, this measure urges the Public Utilities Commission to carry out its mandate and conduct an investigation of the August 2023 Maui wildfires. Further, this measure urges the Public Utilities Commission to be more proactive in exercising its administrative authority over electric utilities, to take steps to mitigate future wildfires, and ensure a more resilient and reliable electric grid for the people of the State.

Your Committees have amended this measure by:

- (1) Inserting language urging the Public Utilities Commission to formally open a docket, in accordance with section 269-9, Hawaii Revised Statutes, to investigate the causes of the August 2023 Maui wildfires;
- (2) Inserting language urging the Public Utilities Commission to request from the County of Maui an unredacted version of the investigative findings of the United States Bureau of Alcohol, Tobacco, and Firearms and Explosives (ATF) National Response Team and Honolulu Field Office that were, or will be, provided to the Maui Fire Department for inclusion in the Maui Fire Department’s origin and cause report for the August 2023 Maui wildfires; 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 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. 156, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 156, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3607 (Joint) Commerce and Consumer Protection and Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 186

The purpose and intent of this measure is to request the Insurance Commissioner to conduct a comprehensive study on wildfire risk and insurance, including market-based approaches.

Your Committees received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs.

Your Committees find that the August 2023 Maui wildfire is changing the way insurers view Hawaii’s wildfire risk, much like how in 1992, Hurricane Iniki affected the coverage of new hurricane insurance policies in the State. As climate change increases the likelihood of future extreme weather events, the increased risk of property damage stemming from wildfires may cause insurers to raise rates, limit coverage for certain losses, or exit high-risk markets entirely. Your Committees find that it is in the public interest to ensure the availability and affordability of insurance coverage for Hawaii residents, and therefore, this measure requests the Insurance Commissioner to conduct a study on the various issues surrounding wildfire risks and insurance in Hawaii.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection 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. 186 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3608 (Joint) Commerce and Consumer Protection and Public Safety and Intergovernmental and Military Affairs on S.R. No. 160

The purpose and intent of this measure is to request the Insurance Commissioner to conduct a comprehensive study on wildfire risk and insurance, including market-based approaches.

Your Committees received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs.

Your Committees find that the August 2023 Maui wildfire is changing the way insurers view Hawaii's wildfire risk, much like how in 1992, Hurricane Iniki affected the coverage of new hurricane insurance policies in the State. As climate change increases the likelihood of future extreme weather events, the increased risk of property damage stemming from wildfires may cause insurers to raise rates, limit coverage for certain losses, or exit high-risk markets entirely. Your Committees find that it is in the public interest to ensure the availability and affordability of insurance coverage for Hawaii residents, and therefore, this measure requests the Insurance Commissioner to conduct a study on the various issues surrounding wildfire risks and insurance in Hawaii.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection 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.

Commerce and Consumer Protection: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3609 Government Operations on S.C.R. No. 51

The purpose and intent of this measure is to request the Legislative Reference Bureau to conduct a study to understand the implementation process for a continuous legislative session and its relative impacts on the State.

Your Committee did not receive any testimony on this measure.

Your Committee finds that a regular session of Hawaii's legislature is limited to a period of sixty days per year. Your Committee further finds that the efficiency, productivity, orderliness, and transparency of the state legislature could be improved with the implementation of a continuous legislative session. The study requested by this measure will provide valuable information to promote government efficiency and productivity.

Your Committee notes that due to certain holidays surrounded by deadline dates, the Legislature's standing committees lose hearing days, which limits the time for the members to review and deliberate on the legislative measures, and more importantly, for the public to deliberate and provide their input. Therefore, this measure needs to be amended to facilitate further meaningful conversation and increased scrutiny of legislative measures.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that expands the scope of the requested study to include studies on extending the legislative session and adding additional recess days, in addition to a study on a continuous legislature;
- (2) Amending its title to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the study requested in this measure should include the impact a continuous legislative session would have on Senate special sessions that are convened to consider appointments for certain state positions and the effect a continuous legislative session would have on legislators who are appointed to serve on working groups.

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. 51, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 51, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3; Ayes with Reservations (San Buenaventura). Noes, none. Excused, 2 (Wakai, Awa).

SCRep. 3610 Government Operations on S.R. No. 39

The purpose and intent of this measure is to request the Legislative Reference Bureau to conduct a study to understand the implementation process for a continuous legislative session and its relative impacts on the State.

Your Committee did not receive any testimony on this measure.

Your Committee finds that a regular session of Hawaii's legislature is limited to a period of sixty days per year. Your Committee further finds that the efficiency, productivity, orderliness, and transparency of the state legislature could be improved with the implementation of a continuous legislative session. The study requested by this measure will provide valuable information to promote government efficiency and productivity.

Your Committee notes that due to certain holidays surrounded by deadline dates, the Legislature's standing committees lose hearing days, which limits the time for the members to review and deliberate on the legislative measures, and more importantly, for the public to deliberate and provide their input. Therefore, this measure needs to be amended to facilitate further meaningful conversation and increased scrutiny of legislative measures.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that expands the scope of the requested study to include studies on extending the legislative session and adding additional recess days, in addition to a study on a continuous legislature;
- (2) Amending its title to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the study requested in this measure should include the impact a continuous legislative session would have on Senate special sessions that are convened to consider appointments for certain state positions and the effect a continuous legislative session would have on legislators who are appointed to serve on working groups.

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. 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, 3; Ayes with Reservations (San Buenaventura). Noes, none. Excused, 2 (Wakai, Awa).

SCRep. 3611 (Joint) Government Operations and Agriculture and Environment on S.C.R. No. 131

The purpose and intent of this measure is to urge:

- (1) Hawaii's congressional delegation to take all actions necessary and proper to cause the United States Congress to fund the construction and commencement of operations of a laboratory certified by the United States Environmental Protection Agency (EPA) to analyze environmental toxins in the State and publish its results to the public; and
- (2) The Governor, Department of Health, and other relevant governmental agencies to support the construction and commencement of operations of the EPA-certified laboratory.

Your Committees received testimony in support of this measure from the Honolulu Board of Water Supply, Sierra Club of Hawai'i, Democratic Party of Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, and two individuals.

Your Committees find that the State's ability to evaluate the presence of environmental toxins in its air, water, soil, and biological specimens is severely hindered by the lack of a local laboratory certified by the EPA. Despite the rising number of contamination issues in the State creating an urgent need for a local EPA-certified laboratory, the cost to construct and operate one is currently beyond the State's means. This measure will allow the State to obtain the necessary funding to construct and operate a local EPA-certified laboratory that will enable the State to evaluate possible exposures to toxic compounds in a timely manner, manage and mitigate the impacts of exposure, if needed, and facilitate the prompt and transparent disclosure to the public.

Your Committees have amended this measure by:

- (1) Amending its title accordingly; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Government Operations and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 131, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 131, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Wakai, Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3612 (Joint) Government Operations and Agriculture and Environment on S.R. No. 113

The purpose and intent of this measure is to urge:

- (1) Hawaii's congressional delegation to take all actions necessary and proper to cause the United States Congress to fund the construction and commencement of operations of a laboratory certified by the United States Environmental Protection Agency (EPA) to analyze environmental toxins in the State and publish its results to the public; and
- (2) The Governor, Department of Health, and other relevant governmental agencies to support the construction and commencement of operations of the EPA-certified laboratory.

Your Committees received testimony in support of this measure from the Honolulu Board of Water Supply, Sierra Club of Hawai'i, Democratic Party of Hawai'i, and one individual.

Your Committees find that the State's ability to evaluate the presence of environmental toxins in its air, water, soil, and biological specimens is severely hindered by the lack of a local laboratory certified by the EPA. Despite the rising number of contamination issues in the State creating an urgent need for a local EPA-certified laboratory, the cost to construct and operate one is currently beyond the State's means. This measure will allow the State to obtain the necessary funding to construct and operate a local EPA-certified laboratory that will enable the State to evaluate possible exposures to toxic compounds in a timely manner, manage and mitigate the impacts of exposure, if needed, and facilitate the prompt and transparent disclosure to the public.

Your Committees have amended this measure by:

- (1) Amending its title accordingly; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Government Operations and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 113, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 113, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Wakai, Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3613 (Joint) Government Operations and Agriculture and Environment on S.C.R. No. 112

The purpose and intent of this measure is to urge the Department of Accounting and General Services to develop a comprehensive recycling program, with specific focus on the collection of HI-5 recyclable items, to be implemented in all offices at the Hawaii State Capitol.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services and one individual.

Your Committees find that although the State has established sustainable waste management goals, it has not made these efforts mandatory, which limits their effectiveness and participation rates. Your Committees further find that it is essential for the Legislature to lead by example in environmental stewardship efforts; demonstrating the State's commitment to sustainable practices. The comprehensive recycling program to be implemented by this measure will serve as a model for sustainable waste management practices and encourage those in the State to adopt similar recycling measure, thereby facilitating the State's achievement of its sustainability goals.

Your Committees have amended this measure by:

- (1) Clarifying that the Department of Accounting and General Services is demanded, rather than requested, to develop a comprehensive recycling program at the Hawaii State Capitol;
- (2) Amending the list of recipients of its certified copies to include the President of the Senate;
- (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 records of votes of the members of your Committees on Government Operations and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 112, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 112, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Wakai, Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3614 (Joint) Government Operations and Agriculture and Environment on S.R. No. 94

The purpose and intent of this measure is to urge the Department of Accounting and General Services to develop a comprehensive recycling program, with specific focus on the collection of HI-5 recyclable items, to be implemented in all offices at the Hawaii State Capitol.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services.

Your Committees find that although the State has established sustainable waste management goals, it has not made these efforts mandatory, which limits their effectiveness and participation rates. Your Committees further find that it is essential for the Legislature to lead by example in environmental stewardship efforts; demonstrating the State's commitment to sustainable practices. The comprehensive recycling program to be implemented by this measure will serve as a model for sustainable waste management practices and encourage those in the State to adopt similar recycling measure, thereby facilitating the State's achievement of its sustainability goals.

Your Committees have amended this measure by:

- (1) Clarifying that the Department of Accounting and General Services is demanded, rather than requested, to develop a comprehensive recycling program at the Hawaii State Capitol;
- (2) Amending the list of recipients of its certified copies to include the President of the Senate;
- (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 records of votes of the members of your Committees on Government Operations and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 94, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 94, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Wakai, Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3615 Transportation and Culture and the Arts on S.C.R. No. 146

The purpose and intent of this measure is to urge the Hawaii Sister-State Committee to recommend the initiation of a sister-state relationship between Hawaii and the province of Baleares.

Your Committee received testimony in support of this measure from five individuals.

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

Your Committee finds that pursuant to section 229-3, Hawaii Revised Statutes, the initiation of a sister-state relationship between Hawaii and another state or province follows an evaluation and recommendation by the Hawaii Sister-State Committee, which then forwards its recommendation to the Legislature for its consideration. Your Committee further finds that the province of the Balearic Islands, also known as Baleares, is comparable to Hawaii in many ways, including but not limited to geography, tourism, housing, climate, and other economic and social similarities. Your Committee concludes that the combination of similar experiences on opposite sides of the world between Hawaii and Baleares affords a valuable opportunity to develop, learn, and confront the most pressing issues effecting both places.

Your Committee has amended this measure by:

- (1) Specifying that the State is encouraged to consider the initiation of a sister-state relationship between Hawaii and the Balearic Islands;
- (2) Specifying that the State is urged to conduct exploratory outreach to meet with appropriate leaders representing the Balearic Islands;
- (3) Adding language to urge the potential sister-state partnership to focus on key issues that Hawaii and the Balearic Islands have in common;
- (4) Amending its title in accordance with its amended purpose; 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 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. 146, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 146, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3616 Transportation and Culture and the Arts on S.R. No. 124

The purpose and intent of this measure is to urge the Hawaii Sister-State Committee to recommend the initiation of a sister-state relationship between Hawaii and the province of Baleares.

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

Your Committee finds that pursuant to section 229-3, Hawaii Revised Statutes, the initiation of a sister-state relationship between Hawaii and another state or province follows an evaluation and recommendation by the Hawaii Sister-State Committee, which then forwards its recommendation to the Legislature for its consideration. Your Committee further finds that the province of the Balearic Islands, also known as Baleares, is comparable to Hawaii in many ways, including but not limited to geography, tourism, housing, climate, and other economic and social similarities. Your Committee concludes that the combination of similar experiences on opposite sides of the world between Hawaii and Baleares affords a valuable opportunity to develop, learn, and confront the most pressing issues effecting both places.

Your Committee has amended this measure by:

- (1) Specifying that the State is encouraged to consider the initiation of a sister-state relationship between Hawaii and the Balearic Islands;
- (2) Specifying that the State is urged to conduct exploratory outreach to meet with appropriate leaders representing the Balearic Islands;
- (3) Adding language to urge the potential sister-state partnership to focus on key issues that Hawaii and the Balearic Islands have in common;
- (4) Amending its title in accordance with its amended purpose; 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 Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 124, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 124, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3617 Transportation and Culture and the Arts on S.C.R. No. 149

The purpose and intent of this measure is to urge the State Foundation on Culture and the Arts to convene a task force to research and develop a plan to implement chess as a competitive sport.

Your Committee received testimony in support of this measure from one individual.

Your Committee received comments on this measure from the State Foundation on Culture and the Arts.

Your Committee finds that the global chess industry is estimated to be valued at more than \$2,110,000,000, and is expected to continue expanding its financial profitability. Your Committee further finds that beyond entertainment, chess can supplement traditional classroom education by promoting logical thinking, instilling a sense of self-confidence, and improving communication and pattern recognition skills. Your Committee concludes that the State can support mental health and education throughout the State by encouraging the development of a plan to implement chess as a competitive sport.

Your Committee has amended this measure by:

- (1) Urging the task force to research and develop a plan to expand access to chess as a competitive sport;
- (2) Urging the Department of Education to collaborate with Hawaii chess organizations to expand access to chess in public schools as a learning, development, and collaboration tool;
- (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 S.C.R. No. 149, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 149, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3618 Transportation and Culture and the Arts on S.R. No. 127

The purpose and intent of this measure is to urge the State Foundation on Culture and the Arts to convene a task force to research and develop a plan to implement chess as a competitive sport.

Your Committee received comments on this measure from the State Foundation on Culture and the Arts.

Your Committee finds that the global chess industry is estimated to be valued at more than \$2,110,000,000, and is expected to continue expanding its financial profitability. Your Committee further finds that beyond entertainment, chess can supplement traditional classroom education by promoting logical thinking, instilling a sense of self-confidence, and improving communication and pattern recognition skills. Your Committee concludes that the State can support mental health and education throughout the State by encouraging the development of a plan to implement chess as a competitive sport.

Your Committee has amended this measure by:

- (1) Urging the task force to research and develop a plan to expand access to chess as a competitive sport;
- (2) Urging the Department of Education to collaborate with Hawaii chess organizations to expand access to chess in public schools as a learning, development, and collaboration tool;
- (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 S.R. No. 127, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 127, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3619 Transportation and Culture and the Arts on S.C.R. No. 198

The purpose and intent of this measure is to encourage the Capitol Modern museum and State Foundation on Culture and the Arts to increase opportunities for artists, songwriters, and producers to showcase their talent on a public platform while fostering access to all forms of art, including fine arts, performing arts, music, filmmaking, digital arts, literature, wood carving, photography, and ceramics.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts and two individuals.

Your Committee finds that in 1967, Hawaii became the first state in the nation to adopt a percent-for-art law with the enactment of the Art in State Buildings law, which designates one percent of construction costs of new buildings for the acquisition of works of art, either by commission or purchase. Your Committee further finds that the Art in Public Places Program, supported by the percent-for-art law, has enhanced the physical environment of state buildings while providing educational experiences of visual arts to the public. Your Committee concludes that student artist internships, art education, and art programs are important foundations to teach, train, equip, and empower artists, encourage local talent, and help independent producers grow their artistry.

Your Committee has amended this measure by:

- (1) Inserting language urging the Capitol Modern museum and State Foundation on Culture and the Arts to:
 - (A) Foster access to modern art and creative media;

- (B) Prioritize educational, extracurricular, and career development strategies for marginalized schools and students;
 - (C) Collaborate with the Honolulu Community College Music & Entertainment Learning Experience, University of Hawaii-West Oahu Creative Media Program, Creative Lab Hawai'i, and Entrepreneurs Sandbox; and
 - (D) Increase accessibility to art for youth through performances, classes, and training; and
- (2) Making 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. 198, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 198, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3620 Transportation and Culture and the Arts on S.R. No. 174

The purpose and intent of this measure is to encourage the Capitol Modern museum and State Foundation on Culture and the Arts to increase opportunities for artists, songwriters, and producers to showcase their talent on a public platform while fostering access to all forms of art, including fine arts, performing arts, music, filmmaking, digital arts, literature, wood carving, photography, and ceramics.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts.

Your Committee finds that in 1967, Hawaii became the first state in the nation to adopt a percent-for-art law with the enactment of the Art in State Buildings law, which designates one percent of construction costs of new buildings for the acquisition of works of art, either by commission or purchase. Your Committee further finds that the Art in Public Places Program, supported by the percent-for-art law, has enhanced the physical environment of state buildings while providing educational experiences of visual arts to the public. Your Committee concludes that student artist internships, art education, and art programs are important foundations to teach, train, equip, and empower artists, encourage local talent, and help independent producers grow their artistry.

Your Committee has amended this measure by:

- (1) Inserting language urging the Capitol Modern museum and State Foundation on Culture and the Arts to:
 - (A) Foster access to modern art and creative media;
 - (B) Prioritize educational, extracurricular, and career development strategies for marginalized schools and students;
 - (C) Collaborate with the Honolulu Community College Music & Entertainment Learning Experience, University of Hawaii-West Oahu Creative Media Program, Creative Lab Hawai'i, and Entrepreneurs Sandbox; and
 - (D) Increase accessibility to art for youth through performances, classes, and training; and
- (2) Making 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. 174, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 174, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3621 (Joint) Health and Human Services and Judiciary on S.C.R. No. 135

The purpose and intent of this measure is to urge the Governor's Senior Advisor for Mental Health and the Justice System to define their role and to provide an annual report to the Legislature on the progress the State has made towards jail diversion.

Your Committees received testimony in support of this measure from the Hawaii Correctional System Oversight Commission, Office of Youth Services, and Hawaii Substance Abuse Coalition.

Your Committees received testimony in opposition to this measure from the Department of Health.

Your Committees received comments on this measure from the Office of the Governor, Governor's Coordinator on Homelessness, Department of Corrections and Rehabilitation, Office of Wellness and Resilience, Department of Human Services, the Judiciary, and Opportunity Youth Action Hawai'i.

Your Committees find that the Governor's Senior Advisor for Mental Health and the Justice System has a crucial role in improving the State's implementation of the Substance Abuse and Mental Health Services Administration (SAMHSA) model on jail diversion, which details how individuals with mental and substance use disorders come into contact with and move through the criminal justice system. Your Committees further find that it is vital for the Senior Advisor to gather and report substantive data on the various community programs funded by the Department of Human Services, Department of Health, and the Judiciary that provide various services in the SAMHSA model on jail diversion. This measure increases transparency on the progress that the Senior Advisor for Mental Health and the Justice System has made on jail diversion in the State and also supports the implementation of a targeted approach to enhance services in jails and prisons, support robust re-entry services in the State, and support deflection and diversion services.

Your Committees have amended this measure by:

- (1) Inserting findings that the uniqueness and importance of having a position in the Office of the Governor that is dedicated to mental health and the justice system makes the Senior Advisor for Mental Health and the Justice System a de facto lead on mental health and the justice system initiatives for the State;
- (2) Inserting language to clarify that the Senior Advisor for Mental Health and the Justice System's annual reports to the Legislature are requested to:
 - (A) Include any proposed legislation;
 - (B) Include a review of all federal and state court cases and constitutional, statutory, and rule changes impacting the Hawaii Revised Statutes that relate to mental health and involuntary transport, examination, hospitalization, and treatment, including assisted community treatment, as proposed in Senate Bill No. 2992, S.D. 2, H.D. 1 (2024); and
 - (C) Be made publicly available;
- (3) Inserting language to request the Senior Advisor for Mental Health and the Justice System to regularly submit reports to the Chairperson of the Senate Standing Committee on Health and Human Services on the progress the State has made towards jail diversion; 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 Judiciary that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 135, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 135, S.D. 1.

Signed by the Chairs on behalf of the Committees.
 Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).
 Judiciary: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3622 (Joint) Health and Human Services and Judiciary on S.R. No. 122

The purpose and intent of this measure is to urge the Governor's Senior Advisor for Mental Health and the Justice System to define their role and to provide an annual report to the Legislature on the progress the State has made towards jail diversion.

Your Committees received testimony in support of this measure from the Hawaii Substance Abuse Coalition.

Your Committees received comments on this measure from the Office of the Governor, Governor's Coordinator on Homelessness, Department of Corrections and Rehabilitation, Department of Human Services, and the Judiciary.

Your Committees find that the Governor's Senior Advisor for Mental Health and the Justice System has a crucial role in improving the State's implementation of the Substance Abuse and Mental Health Services Administration (SAMHSA) model on jail diversion, which details how individuals with mental and substance use disorders come into contact with and move through the criminal justice system. Your Committees further find that it is vital for the Senior Advisor to gather and report substantive data on the various community programs funded by the Department of Human Services, Department of Health, and the Judiciary that provide various services in the SAMHSA model on jail diversion. This measure increases transparency on the progress that the Senior Advisor for Mental Health and the Justice System has made on jail diversion in the State and also supports the implementation of a targeted approach to enhance services in jails and prisons, support robust re-entry services in the State, and support deflection and diversion services.

Your Committees have amended this measure by:

- (1) Inserting findings that the uniqueness and importance of having a position in the Office of the Governor that is dedicated to mental health and the justice system makes the Senior Advisor for Mental Health and the Justice System a de facto lead on mental health and the justice system initiatives for the State;
- (2) Inserting language to clarify that the Senior Advisor for Mental Health and the Justice System's annual reports to the Legislature are requested to:
 - (A) Include any proposed legislation;
 - (B) Include a review of all federal and state court cases and constitutional, statutory, and rule changes impacting the Hawaii Revised Statutes that relate to mental health and involuntary transport, examination, hospitalization, and treatment, including assisted community treatment, as proposed in Senate Bill No. 2992, S.D. 2, H.D. 1 (2024); and
 - (C) Be made publicly available;
- (3) Inserting language to request the Senior Advisor for Mental Health and the Justice System to regularly submit reports to the Chairperson of the Senate Standing Committee on Health and Human Services on the progress the State has made towards jail diversion; 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 Judiciary that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 122, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 122, S.D. 1.

Signed by the Chairs on behalf of the Committees.
 Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).
 Judiciary: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3623 (Joint) Commerce and Consumer Protection and Health and Human Services on S.C.R. No. 207

The purpose and intent of this measure is to request the Auditor to conduct a sunrise analysis on mandating dental and vision insurance coverage.

Your Committees received testimony in support of this measure from the Disability and Communication Access Board.

Your Committees received comments on this measure from the Office of the Auditor.

Your Committees find that preventive dental and vision care has a direct impact on a person's health and wellness. In addition to cavities and gum disease, dental health is also linked to cardiovascular disease, cancer, and diabetes. Further, a vision exam can identify more than just the need for corrective lenses, but can uncover eye diseases, such as macular degeneration, cataracts, and glaucoma. Notwithstanding, your Committees find that over 223,000 Hawaii residents do not have dental insurance coverage and the same number of residents or more, also do not have vision insurance coverage. Therefore, this measure requests the Auditor to conduct a social and financial assessment of mandating dental and vision coverage to further efforts to support the health of residents in the State.

Your Committees have amended this measure by:

- (1) Identifying S.B. No. 2259, S.D. 2 (2024), as the specific legislative measure that would mandate the dental and vision insurance treatment coverage described in this measure, which is requested to be analyzed pursuant to sections 23-51 and 23-52, Hawaii Revised Statutes;
- (2) Amending its title to clarify its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 207, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 207, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (Aquino, Awa).

SCRep. 3624 (Joint) Commerce and Consumer Protection and Health and Human Services on S.R. No. 183

The purpose and intent of this measure is to request the Auditor to conduct a sunrise analysis on mandating dental and vision insurance coverage.

Your Committees received testimony in support of this measure from the Disability and Communication Access Board.

Your Committees received comments on this measure from the Office of the Auditor.

Your Committees find that preventive dental and vision care has a direct impact on a person's health and wellness. In addition to cavities and gum disease, dental health is also linked to cardiovascular disease, cancer, and diabetes. Further, a vision exam can identify more than just the need for corrective lenses, but can uncover eye diseases, such as macular degeneration, cataracts, and glaucoma. Notwithstanding, your Committees find that over 223,000 Hawaii residents do not have dental insurance coverage and the same number of residents or more, also do not have vision insurance coverage. Therefore, this measure requests the Auditor to conduct a social and financial assessment of mandating dental and vision coverage to further efforts to support the health of residents in the State.

Your Committees have amended this measure by:

- (1) Identifying S.B. No. 2259, S.D. 2 (2024), as the specific legislative measure that would mandate the dental and vision insurance treatment coverage described in this measure, which is requested to be analyzed pursuant to sections 23-51 and 23-52, Hawaii Revised Statutes;
- (2) Amending its title to clarify its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 183, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 183, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (Aquino, Awa).

SCRep. 3625 (Joint) Health and Human Services and Agriculture and Environment on S.C.R. No. 222

The purpose and intent of this measure is to request the Department of Health to carry out widespread soil testing in Lahaina and to develop a soil remediation plan.

Your Committees received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i and one individual.

Your Committees received comments on this measure from the Department of Health.

Your Committees find that the August 2023 Maui wildfire was the fifth deadliest wildfire in United States history, with more than two thousand two hundred structures damaged or destroyed. Your Committees further find that high-intensity wildfires such as the wildfire experienced in Lahaina, cause physical, chemical, and biological changes to the surrounding soil. Your Committees additionally find that burned or melted building materials, furniture, plastics, and consumer electronics produce toxic substances that can also contaminate soil, which may threaten human health, groundwater quality, ocean ecosystems, and food production. This measure supports the public and environmental health of the Lahaina community by identifying potential risks of soil contamination following the August 2023 Maui wildfire.

Your Committees note that the Department of Health has recently executed the Comprehensive Environmental Monitoring and Sampling Plan contract for a consultant to review environmental data collected by other federal and state agencies, conduct data management, and design a data portal, and that the Department of Health has requested reimbursement from the Federal Emergency Management Agency for this soil testing contract. However, your Committees further note the concerns raised in the Department of Health's testimony that it does not have the personnel or resources to develop a comprehensive soil remediation plan.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language to request the Department of Health to seek funding for the development of a comprehensive soil remediation plan; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 222, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 222, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3626 (Joint) Health and Human Services and Agriculture and Environment on S.R. No. 198

The purpose and intent of this measure is to request the Department of Health to carry out widespread soil testing in Lahaina and to develop a soil remediation plan.

Your Committees received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i and one individual.

Your Committees find that the August 2023 Maui wildfire was the fifth deadliest wildfire in United States history, with more than two thousand two hundred structures damaged or destroyed. Your Committees further find that high-intensity wildfires such as the wildfire experienced in Lahaina, cause physical, chemical, and biological changes to the surrounding soil. Your Committees additionally find that burned or melted building materials, furniture, plastics, and consumer electronics produce toxic substances that can also contaminate soil, which may threaten human health, groundwater quality, ocean ecosystems, and food production. This measure supports the public and environmental health of the Lahaina community by identifying potential risks of soil contamination following the August 2023 Maui wildfire.

Your Committees note that the Department of Health has recently executed the Comprehensive Environmental Monitoring and Sampling Plan contract for a consultant to review environmental data collected by other federal and state agencies, conduct data management, and design a data portal, and that the Department of Health has requested reimbursement from the Federal Emergency Management Agency for this soil testing contract. However, your Committees further note the concerns raised in the Department of Health's testimony that it does not have the personnel or resources to develop a comprehensive soil remediation plan.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language to request the Department of Health to seek funding for the development of a comprehensive soil remediation plan; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Agriculture and Environment 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.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

SCRep. 3627 (Joint) Government Operations and Transportation and Culture and the Arts on S.C.R. No. 110

The purpose and intent of this measure is to request the City and County of Honolulu to transfer to the State its authority to construct a Makakilo Drive extension to Kualakai Parkway.

Your Committees received testimony in support of this measure from the Free Access Coalition and Palehua Townhouse Association.

Your Committees find that although over twenty thousand residents live in Makakilo in the City and County of Honolulu, Makakilo Drive remains the only way into and out of the residential area. Given the August 2023 Maui wildfire in Lahaina, your Committees recognize the importance and necessity of evacuation routes and access points in residential areas. This measure promotes public

safety and improves transportation in Makakilo by facilitating the construction of an additional route and access point for residents in the area.

Your Committees acknowledges that the City and County of Honolulu (City and County) has been encountering design and planning setbacks to address the limited access to and from the Makakilo area for years. Accordingly, your Committees recommend that the Department of Transportation and City and County examine a cost-sharing model whereby the State would build the bridges and the City and County would build the roads for the project.

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. 110 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Awa).

Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3628 (Joint) Government Operations and Transportation and Culture and the Arts on S.R. No. 92

The purpose and intent of this measure is to request the City and County of Honolulu to transfer to the State its authority to construct a Makakilo Drive extension to Kualakai Parkway.

Your Committee received testimony in support of this measure from the Palehua Townhouse Association.

Your Committees find that although over twenty thousand residents live in Makakilo in the City and County of Honolulu, Makakilo Drive remains the only way into and out of the residential area. Given the August 2023 Maui wildfire in Lahaina, your Committees recognize the importance and necessity of evacuation routes and access points in residential areas. This measure promotes public safety and improves transportation in Makakilo by facilitating the construction of an additional route and access point for residents in the area.

Your Committees acknowledges that the City and County of Honolulu (City and County) has been encountering design and planning setbacks to address the limited access to and from the Makakilo area for years. Accordingly, your Committees recommend that the Department of Transportation and City and County examine a cost-sharing model whereby the State would build the bridges and the City and County would build the roads for the project.

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.R. No. 92 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Awa).

Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

SCRep. 3629 (Joint) Government Operations and Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 103

The purpose and intent of this measure is to request all high-occupancy public buildings constructed after January 1, 2025, to be:

- (1) Designed to withstand category five hurricanes as determined by wind zone maps; and
- (2) Used as shelters in the event of an emergency.

Your Committees received comments on this measure from the Department of Accounting and General Services.

Your Committees find that the State is vulnerable to catastrophic natural disasters, including hurricanes, that can devastate communities. Historically, the State's two defenses against hurricanes have been its cool seas that slow and weaken hurricanes and strong trade winds that tear hurricanes apart; however, climate change is not only increasing the frequency and strength of hurricanes worldwide but also warming the seas and weakening trade winds, further increasing the vulnerability of the State. As such, improved emergency preparedness is of paramount importance. This measure requests that certain public buildings be designed for stronger resiliency to expand the number of available shelters in the State, thereby increasing the protection of Hawaii's people.

Your Committees acknowledge the concerns raised by the Department of Accounting and General Services that the design process for buildings to be constructed after January 1, 2025, is likely to have been completed, and that amending the designs of these and other projects that are under design or considered for appropriations to comply with this measure would require a higher budget than previously appropriated or estimated. Your Committees further acknowledge that this measure does not define "high-occupancy public buildings", and it would not be unreasonable to interpret the term to include privately constructed high-occupancy buildings available to the public and federally constructed high-occupancy buildings. Therefore, this measure needs to be amended to address these matters.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that the measure applies to all high-occupancy state and county buildings, the design of which commences on or after July 1, 2025, rather than all high-occupancy public buildings constructed after January 1, 2025;
- (2) Inserting language requesting that these buildings not only be designed but also be constructed to withstand category five hurricanes;
- (3) Inserting language that defines the term "high-occupancy state and county building";
- (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 Government Operations 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. 103, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 103, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Awa).

Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Awa).

SCRep. 3630 (Joint) Government Operations and Public Safety and Intergovernmental and Military Affairs on S.R. No. 85

The purpose and intent of this measure is to request all high-occupancy public buildings constructed after January 1, 2025, to be:

- (1) Designed to withstand category five hurricanes as determined by wind zone maps; and
- (2) Used as shelters in the event of an emergency.

Your Committees received comments on this measure from the Department of Accounting and General Services.

Your Committees find that the State is vulnerable to catastrophic natural disasters, including hurricanes, that can devastate communities. Historically, the State's two defenses against hurricanes have been its cool seas that slow and weaken hurricanes and strong trade winds that tear hurricanes apart; however, climate change is not only increasing the frequency and strength of hurricanes worldwide but also warming the seas and weakening trade winds, further increasing the vulnerability of the State. As such, improved emergency preparedness is of paramount importance. This measure requests that certain public buildings be designed for stronger resiliency to expand the number of available shelters in the State, thereby increasing the protection of Hawaii's people.

Your Committees acknowledge the concerns raised by the Department of Accounting and General Services that the design process for buildings to be constructed after January 1, 2025, is likely to have been completed, and that amending the designs of these and other projects that are under design or considered for appropriations to comply with this measure would require a higher budget than previously appropriated or estimated. Your Committees further acknowledge that this measure does not define "high-occupancy public buildings", and it would not be unreasonable to interpret the term to include privately constructed high-occupancy buildings available to the public and federally constructed high-occupancy buildings. Therefore, this measure needs to be amended to address these matters.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that the measure applies to all high-occupancy state and county buildings, the design of which commences on or after July 1, 2025, rather than all high-occupancy public buildings constructed after January 1, 2025;
- (2) Inserting language requesting that these buildings not only be designed but also be constructed to withstand category five hurricanes;
- (3) Inserting language that defines the term "high-occupancy state and county building";
- (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 Government Operations 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. 85, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 85, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Awa).

Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Awa).

SCRep. 3631 (Joint) Government Operations and Water and Land on S.C.R. No. 210

The purpose and intent of this measure is to request that the Department of Accounting and General Services and Department of Land and Natural Resources work with the City and County of Honolulu to establish a community garden on the east lawn of the Hawaii State Capitol.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Seed Growers Network, and Hawai'i Farm Bureau.

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.

Your Committees find that community gardens can produce substantial amounts of healthy, local produce, thereby contributing to the achievement of the State's local food production goals. Your Committees recognize that the east lawn of the State Capitol is underutilized and that establishing a community garden on this underutilized area would reaffirm the State's commitment to sustainability, community, and transparency.

Your Committees note the concerns raised in testimony that establishment of a community garden on the east lawn of the State Capitol may have structural impacts on the State Capitol's underground parking garage, including the increase in water usage to sustain the garden damaging the garage's lights and electrical wiring. Furthermore, given the historic nature of the site, consultation with the State Historic Preservation Division may be necessary. Testimony also raised concerns as to the lack of sufficient parking near the site,

which may create hardship for the community to utilize the garden. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Deleting language that references the State Capitol and its east lawn;
- (2) Inserting language that requests the Department of Accounting and General Services and Department of Land and Natural Resources to work with the City and County of Honolulu to establish community gardens on underutilized public land;
- (3) Amending its title to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that this measure, as amended, does not condone the immediate establishment of community gardens in public infrastructure.

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 concur with the intent and purpose of S.C.R. No. 210, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 210, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Awa).

Water and Land: Ayes, 5; Ayes with Reservations (Elefante, Fevella). Noes, none. Excused, none.

SCRep. 3632 (Joint) Government Operations and Water and Land on S.R. No. 186

The purpose and intent of this measure is to request that the Department of Accounting and General Services and Department of Land and Natural Resources work with the City and County of Honolulu to establish a community garden on the east lawn of the Hawaii State Capitol.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Farm Bureau, and Food+ Policy Internship 2024.

Your Committees received comments on this measure from the Department of Accounting and General Services.

Your Committees find that community gardens can produce substantial amounts of healthy, local produce, thereby contributing to the achievement of the State's local food production goals. Your Committees recognize that the east lawn of the State Capitol is underutilized and that establishing a community garden on this underutilized area would reaffirm the State's commitment to sustainability, community, and transparency.

Your Committees note the concerns raised in testimony that establishment of a community garden on the east lawn of the State Capitol may have structural impacts on the State Capitol's underground parking garage, including the increase in water usage to sustain the garden damaging the garage's lights and electrical wiring. Furthermore, given the historic nature of the site, consultation with the State Historic Preservation Division may be necessary. Testimony also raised concerns as to the lack of sufficient parking near the site, which may create hardship for the community to utilize the garden. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Deleting language that references the State Capitol and its east lawn;
- (2) Inserting language that requests the Department of Accounting and General Services and Department of Land and Natural Resources to work with the City and County of Honolulu to establish community gardens on underutilized public land;
- (3) Amending its title to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that this measure, as amended, does not condone the immediate establishment of community gardens in public infrastructure.

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 concur with the intent and purpose of S.R. No. 186, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 186, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Awa).

Water and Land: Ayes, 5; Ayes with Reservations (Elefante, Fevella). Noes, none. Excused, none.

SCRep. 3633 Health and Human Services on S.C.R. No. 94

The purpose and intent of this measure is to request the establishment of a Telehealth Working Group to:

- (1) Examine the impact of widespread telehealth adoption during the coronavirus disease 2019 (COVID-19) pandemic;
- (2) Identify public policy initiatives at the federal and state level to optimize the telehealth utilization as the State transitions out of the COVID-19 pandemic; and
- (3) Submit a report to the Legislature before the Regular Session of 2025.

Your Committee received testimony in support of this measure from the Department of Human Services, The Queen's Health System, Grassroot Institute of Hawaii, and Hawaii Medical Service Association.

Your Committee received comments on this measure from the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs.

Your Committee finds that the State experienced an increase in the use of telehealth during the COVID-19 pandemic. Your Committee further finds that although there is some data to support the safety, efficacy, timeliness, access, and cost effectiveness of telehealth, the impact of widespread telehealth adoption in the State is largely unknown. This measure will allow the State to obtain a full evaluation of the impact of widespread telehealth adoption in the State on safety, utilization, total cost of care, and patient and provider satisfaction and greater insight into existing telehealth challenges and benefits to determine how best to integrate telehealth into in-person practice as the State transitions out of the COVID-19 pandemic.

Your Committee has amended this measure by:

- (1) Clarifying that the Telehealth Working Group's representative from the Professional and Vocational Licensing (PVL) Division of the Department of Commerce and Consumer Affairs is to be appointed by the Licensing Administrator of the PVL Division or the Licensing Administrator's designee;
- (2) Inserting language to add one representative from health plans in the State to the Telehealth Working Group; 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. 94, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 94, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3634 Health and Human Services on S.R. No. 80

The purpose and intent of this measure is to request the establishment of a Telehealth Working Group to:

- (1) Examine the impact of widespread telehealth adoption during the coronavirus disease 2019 (COVID-19) pandemic;
- (2) Identify public policy initiatives at the federal and state level to optimize the telehealth utilization as the State transitions out of the COVID-19 pandemic; and
- (3) Submit a report to the Legislature before the Regular Session of 2025.

Your Committee received testimony in support of this measure from the Department of Human Services, Grassroot Institute of Hawaii, and Hawaii Medical Service Association.

Your Committee received comments on this measure from the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs.

Your Committee finds that the State experienced an increase in the use of telehealth during the COVID-19 pandemic. Your Committee further finds that although there is some data to support the safety, efficacy, timeliness, access, and cost effectiveness of telehealth, the impact of widespread telehealth adoption in the State is largely unknown. This measure will allow the State to obtain a full evaluation of the impact of widespread telehealth adoption in the State on safety, utilization, total cost of care, and patient and provider satisfaction and greater insight into existing telehealth challenges and benefits to determine how best to integrate telehealth into in-person practice as the State transitions out of the COVID-19 pandemic.

Your Committee has amended this measure by:

- (1) Clarifying that the Telehealth Working Group's representative from the Professional and Vocational Licensing (PVL) Division of the Department of Commerce and Consumer Affairs is to be appointed by the Licensing Administrator of the PVL Division or the Licensing Administrator's designee;
- (2) Inserting language to add one representative from health plans in the State to the Telehealth Working Group; 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. 80, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 80, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3635 Commerce and Consumer Protection on S.C.R. No. 183

The purpose and intent of this measure is to urge the Department of Commerce and Consumer Affairs and the County of Maui to investigate and enforce applicable laws against landlords who are ending rental agreements to house FEMA-eligible households through the Direct Lease Program or the Department of Human Services Rental Assistance Program.

Your Committee received testimony in support of this measure from Kaibigan ng Lāhaina.

Your Committee received comments on this measure from the Office of Consumer Protection of the Department of Commerce and Consumer Affairs.

Your Committee finds that the Federal Emergency Management Agency (FEMA) and the State have been providing short-term housing for households that were displaced by the August 2023 Maui wildfire through FEMA's Direct Lease Program and the Department of Human Services' Rental Assistance Program (RAP). Your Committee further finds that because these programs pay above-market rates, it has been reported that some landlords on Maui have been refusing to renew lease agreements with existing tenants to rent the properties to FEMA- or RAP-eligible households in favor of higher rents. Your Committee finds that these incidents are not only unfair and unethical, but may also violate the moratorium on evictions established by the Governor's emergency proclamations. Therefore, this measure urges the Department of Commerce and Consumer Affairs and the County of Maui to address these illegal practices and ensure the stability of housing for residents in Lahaina.

Notwithstanding, your Committee notes the concerns raised by the Office of Consumer Protection of the Department of Commerce and Consumer Affairs, testifying that the responsibility to investigate and enforce applicable laws against unscrupulous landlords who may have violated the Governor's emergency proclamation falls on the Department of the Attorney General. Therefore, amendments to this measure are necessary to address this issue.

Accordingly, your Committee has amended this measure by:

- (1) Urging the Department of the Attorney General, rather than the Department of Commerce and Consumer Affairs and Maui County, to investigate and enforce applicable laws against landlords who are ending rental agreements to house FEMA-eligible households through the Direct Lease Program or the Department of Human Services Rental Assistance Program;
- (2) Amending its title to reflect its amended purpose;
- (3) Updating the list of certified copy recipients by replacing the Director of Commerce and Consumer Affairs and Mayor of the County of Maui with the Attorney General; 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 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, none. Excused, 2 (McKelvey, Awa).

SCRep. 3636 Commerce and Consumer Protection on S.R. No. 157

The purpose and intent of this measure is to urge the Department of Commerce and Consumer Affairs and the County of Maui to investigate and enforce applicable laws against landlords who are ending rental agreements to house FEMA-eligible households through the Direct Lease Program or the Department of Human Services Rental Assistance Program.

Your Committee received testimony in support of this measure from Kaibigan ng Lāhaina.

Your Committee received comments on this measure from the Office of Consumer Protection of the Department of Commerce and Consumer Affairs.

Your Committee finds that the Federal Emergency Management Agency (FEMA) and the State have been providing short-term housing for households that were displaced by the August 2023 Maui wildfire through FEMA's Direct Lease Program and the Department of Human Services' Rental Assistance Program (RAP). Your Committee further finds that because these programs pay above-market rates, it has been reported that some landlords on Maui have been refusing to renew lease agreements with existing tenants to rent the properties to FEMA- or RAP-eligible households in favor of higher rents. Your Committee finds that these incidents are not only unfair and unethical, but may also violate the moratorium on evictions established by the Governor's emergency proclamations. Therefore, this measure urges the Department of Commerce and Consumer Affairs and the County of Maui to address these illegal practices and ensure the stability of housing for residents in Lahaina.

Notwithstanding, your Committee notes the concerns raised by the Office of Consumer Protection of the Department of Commerce and Consumer Affairs, testifying that the responsibility to investigate and enforce applicable laws against unscrupulous landlords who may have violated the Governor's emergency proclamation falls on the Department of the Attorney General. Therefore, amendments to this measure are necessary to address this issue.

Accordingly, your Committee has amended this measure by:

- (1) Urging the Department of the Attorney General, rather than the Department of Commerce and Consumer Affairs and Maui County, to investigate and enforce applicable laws against landlords who are ending rental agreements to house FEMA-eligible households through the Direct Lease Program or the Department of Human Services Rental Assistance Program;
- (2) Amending its title to reflect its amended purpose;
- (3) Updating the list of certified copy recipients by replacing the Director of Commerce and Consumer Affairs and Mayor of the County of Maui with the Attorney General; 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 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 (McKelvey, Awa).

SCRep. 3637 (Joint) Commerce and Consumer Protection and Housing on S.C.R. No. 115

The purpose and intent of this measure is to encourage developers to incorporate net zero water building strategies when constructing and renovating housing projects in the State.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Ulupono Initiative, and seven individuals.

Your Committees find that a net zero water project creates a water-neutral building where the amount of alternative water--water sourced sustainably, such as harvested rainwater--used and water collected from the building systems such as green infrastructure and on-site treated wastewater, and returned to the original water source is equal to the building's total water consumption. This measure encourages developers to incorporate net zero water building strategies into their construction and renovation of housing projects in the State to help reduce pollution, mitigate impacts on aquifers, and conserve Hawaii's precious water resources.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Housing that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 115 and recommend its adoption.

Signed by the Chair and the President on behalf of the Committees.
Commerce and Consumer Protection: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).
Housing: Ayes, 3. Noes, none. Excused, 2 (Kanuha, Awa).

SCRep. 3638 (Joint) Commerce and Consumer Protection and Housing on S.R. No. 98

The purpose and intent of this measure is to encourage developers to incorporate net zero water building strategies when constructing and renovating housing projects in the State.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation.

Your Committees find that a net zero water project creates a water-neutral building where the amount of alternative water--water sourced sustainably, such as harvested rainwater--used and water collected from the building systems such as green infrastructure and on-site treated wastewater, and returned to the original water source is equal to the building's total water consumption. This measure encourages developers to incorporate net zero water building strategies into their construction and renovation of housing projects in the State to help reduce pollution, mitigate impacts on aquifers, and conserve Hawaii's precious water resources.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Housing that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 98 and recommend its adoption.

Signed by the Chair and the President on behalf of the Committees.
Commerce and Consumer Protection: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).
Housing: Ayes, 3. Noes, none. Excused, 2 (Kanuha, Awa).

SCRep. 3639 Health and Human Services on Gov. Msg. No. 606

Recommending that the Senate advise and consent to the nomination of the following:

DEPUTY DIRECTOR, DEPARTMENT OF HEALTH

G.M. No. 606 VALERIE KATO, for a term to expire 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Valerie Kato for service as the Deputy Director of the Department of Health.

Your Committee received testimony in support of the nomination for the appointment of Valerie Kato from the Governor; Department of Land and Natural Resources; Department of Health; Department of Hawaiian Home Lands; Department of Budget and Finance; Department of Transportation; Department of Law Enforcement; Department of Corrections and Rehabilitation; Department of Commerce and Consumer Affairs; Department of Defense; Department of Agriculture; Department of Accounting and General Services; Department of Taxation; Department of Business, Economic Development, and Tourism; Department of Labor and Industrial Relations; Executive Office on Aging; and eighty individuals.

Upon review of the testimony, your Committee finds that Ms. Kato's background and dedication to serving the public qualify her to be appointed as the Deputy Director of the Department of Health.

Your Committee notes that Ms. Kato has been serving as the First Deputy Director for the Department of Health on an interim basis since July 2023. In her role, Ms. Kato manages and provides direction to various Department of Health offices and analyzes and develops internal administrative and procurement policies and procedures to ensure the Department efficiently meets its statutory and ethical obligations. Ms. Kato also leads budget preparation and supervises the management of facilities and the coordination of resources. Recently, Ms. Kato has been overseeing the provision of vital records requests for those on Maui who lost their records as a result of the August 2023 Maui wildfires. Prior to joining the Department of Health, Ms. Kato worked for the Department of the Attorney General in various roles, including as Deputy Attorney General for the Commerce and Economic Development Division, Covid Exemption Team, and Health Division. More recently, Ms. Kato served as First Deputy Attorney General and Supervising Deputy Attorney General for the Health Division where she provided legal services to the Department of Health. Prior to that, Ms. Kato worked as an associate attorney for fifteen years, focusing on commercial litigation, real property disputes, labor and employment law, probate and trust litigation, personal injury, and bankruptcy matters. Ms. Kato received her Juris Doctor from Georgetown University Law Center and has a Bachelor's degree in English from the University of Hawaii at Manoa where she

graduated with honors. Ms. Kato is also an active member in her community and has served in multiple capacities with Hui Makaala, Hawaii United Okinawa Association, and Read to Me International.

Your Committee believes that Ms. Kato's extensive experience in diverse legal services, planning of policy and program development, knowledge of statutory and ethical requirements, alternative dispute resolution, and background working with the Department of Health will be assets for the Department and will help forge a more efficient administration. Your Committee further notes that Ms. Kato's personal statement expresses her goals to improve the efficiency and effectiveness of the Department of Health's internal procurement processes to enable programs to timely procure goods and services, fill critical vacancies, improve services to the public, and improve the Department's facilities. Your Committee therefore recommends that Valerie Kato be appointed as Deputy Director of the Department of Health based on her knowledge, background, and 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, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3640 (Joint) Ways and Means and Judiciary on H.B. No. 2480

The purpose and intent of this measure is to modernize the process for authentication services provided by the Office of the Lieutenant Governor.

More specifically, this measure:

- (1) Requires the Office of the Lieutenant Governor to set a fee by administrative rule for the issuance of an apostille or a non-apostille certification;
- (2) Establishes the apostilles and certifications special fund; and
- (3) Appropriates moneys into and out of the special fund.

Your Committees received written comments in support of this measure from the Office of the Lieutenant Governor.

Your Committees find that the fees authorized and the special fund established by this measure will enable the Office of the Lieutenant Governor to successfully execute its constitutional obligations regarding authentication services and to cost-effectively and conveniently serve the public.

Your Committees note that this measure, as received by your Committees, appropriated \$12,000 into and out of the apostilles and certifications special fund.

Your Committees have amended this measure by changing the appropriations to unspecified amounts 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. 2480, 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. 2480, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Kanuha, Shimabukuro).

Judiciary: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3641 Judiciary on H.B. No. 2058

The purpose and intent of this measure is to:

- (1) Establish requirements and penalties for owners of dangerous dogs; and
- (2) Allow for impounding of dangerous dogs under certain conditions.

Your Committee received testimony in support of this measure from the Office of the Prosecuting Attorney of the County of Hawai'i, three members of the Hawai'i County Council, Hawai'i State Association of Counties, Hawaiian Humane Society, Hawai'i Animal Welfare Association, Animal Interfaith Alliance in Britain, Americans for Democratic Action Hawai'i, Hina's Legacy Rescue Foundation, Malama O Puna, and one hundred twenty-three individuals.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender and two individuals.

Your Committee received comments on this measure from the Department of the Attorney General, Department of Agriculture, and American Kennel Club.

Your Committee finds that the State struggles with the problem of loose dogs that behave aggressively. To address this issue, the County of Hawaii passed Ordinance No. 36 in 2022 to establish fines, penalties, and other regulations for individuals who own dangerous dogs. However, dog attacks have continued to occur, demonstrating the need for stronger laws and enforcement. Your Committee also finds that existing state law preempts the enactment of felony offenses through county ordinance. This measure will protect the public by addressing dangerous conditions caused by dogs and their owners in local communities and imposing appropriate penalties.

Your Committee has amended this measure by:

- (1) Establishing the new part added by this measure in chapter 711, Hawaii Revised Statutes, instead of chapter 142, Hawaii Revised Statutes;
- (2) Deleting language that would have included a private contractor retained by a county to enforce animal laws in the definition of “animal control authority”;
- (3) Inserting a definition for “bodily injury” to have the same meaning as defined in section 707-700, Hawaii Revised Statutes;
- (4) Inserting definitions for “intentionally”, “knowingly”, and “recklessly” as those terms are defined in section 702-206, Hawaii Revised Statutes;
- (5) Defining “officer” to mean any sheriff, deputy, and any member of a police force and animal control officers of the several counties of the State;
- (6) Inserting a definition for “substantial bodily injury” to have the same meaning as defined in section 707-700, Hawaii Revised Statutes and replacing the term “serious bodily injury” with “substantial bodily injury”;
- (7) Replacing the term “serious injury to any animal” with “substantial injury to any animal”;
- (8) Deleting language that would have allowed a law enforcement officer to enter the premises where a dangerous dog is located to seize and impound the dog if there is probable cause to believe that there is a violation of section 143-2.6, Hawaii Revised Statutes;
- (9) Clarifying that a law enforcement officer is not liable for any damage resulting from an entry to impound a dangerous dog unless the damage was caused by acts beyond the scope of the officer’s authority or the officer’s negligence, gross negligence, or intentional misconduct rather than the damage resulted from intentional or reckless behavior;
- (10) Clarifying that the owner of a dangerous dog is required to pay the animal control authority within five days after the dangerous dog is impounded;
- (11) Clarifying that a dangerous dog owner’s failure to pay impoundment, care, and provision costs for the dangerous dog may result in forfeiture of the dangerous dog owner’s right to contest those costs and any ownership rights to the dangerous dog;
- (12) Inserting an effective date of April 14, 2112, to encourage further discussion; and
- (13) Making 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. 2058, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2058, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3642 (Majority) Judiciary on H.B. No. 1980

The purpose and intent of this measure is to establish the separate offense and applicable penalties relating to the fighting of birds in the first and second degrees.

Your Committee received testimony in support of this measure from the Hawaii High Intensity Drug Trafficking Area, Department of Law Enforcement, Honolulu Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, Animal Welfare Institute, Humane Society of the United States, Hawaiian Humane Society, Animal Interfaith Alliance in Britain, Hina’s Legacy Rescue Foundation, Fur-Angel Foundation, and twenty-seven individuals.

Your Committee received testimony in opposition to this measure from T’s Farm Supply LLC, Hawaii Game Breeders Association, a form letter signed by more than one hundred thirty individuals, a form letter signed by more than one thousand two hundred seventy individuals, and more than one hundred seventy-five individuals.

Your Committee received comments on this measure from the Office of the Public Defender.

Your Committee finds that although existing law has separate offenses allowing prosecution of people who attend or wager on dog fighting, no clear equivalent exists for bird fighting, despite its long history in the State. Additionally, other forms of criminal activity, such as illegal gambling and drug trafficking, are often present at bird fights. This measure will reduce criminal activity in local communities by allowing prosecution of those who provide venues, organization, and other material support for bird fighting.

Your Committee has amended this measure by:

- (1) Inserting language increasing the criminal penalty of cruelty to animals by fighting birds in the first degree to a class B felony if the offense involves five or more birds;
- (2) Deleting language that would have made each violation of cruelty to animals by fighting birds in the first degree, including each bird involved in a violation of the offense, a separate offense;
- (3) Inserting language clarifying that multiple violations of cruelty to animals by fighting birds in the first degree which occur on the same day constitute a single offense;
- (4) Deleting language that would have made each violation of cruelty to animals by fighting birds in the second degree, including each bird and each device used in the violation, a separate offense;

- (5) Inserting language clarifying that multiple violations of cruelty to animals by fighting birds in the second degree which occur on the same day constitute a single offense;
- (6) Inserting an effective date of April 14, 2112, 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. 1980, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1980, 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 (San Buenaventura). Noes, 1 (Awa). Excused, none.

SCRep. 3643 Ways and Means on H.B. No. 2377

The purpose and intent of this measure is to make an emergency appropriation to transfer funds within a department to meet operating budget shortfalls and other program requirements for the fourth quarter of fiscal year 2024.

Your Committee received testimony in support of this measure from the Department of Budget and Finance, Department of Corrections and Rehabilitation, and Department of Transportation.

Your Committee finds that Act 164, Session Laws of Hawaii 2023, did not contain a provision that was included in previous budget Acts and authorized the Governor to transfer funds between programs within a department to address budget shortfalls and other program requirements. The omission of such a proviso has caused a critical funding emergency by limiting the ability of departments to transfer funds between their programs to address changing conditions. The transfer of funds in this measure will remedy this situation.

Your Committee has amended this measure by:

- (1) Transferring \$24,000,000 out of PSD 402, 405, 406, 409, 410, 420, 421, and 808;
- (2) Transferring \$3,500,000 into PSD407;
- (3) Transferring \$20,500,000 into PSD900; and
- (4) Inserting the appropriate Ramseyer provision to properly reflect the amendments above.

As affirmed by the record of votes of the members 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. 2377, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2377, 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 (Kanuha).

SCRep. 3644 Ways and Means on H.B. No. 2430

The purpose and intent of this measure is to establish and appropriate moneys for the Summer Electronic Benefits Transfer for Children Program.

Your Committee received testimony in support of this measure from the Department of Education, Department of Human Services, Office of the Governor, ABC Stores, AlohaCare, American Heart Association, Down to Earth Organic & Natural, Hawaii Appleseed, Hawaii Children's Action Network Speaks!, Hawaii Farm Bureau, Hawaii Foodbank, Hawaii Good Food Alliance, Hawaii Food Industry Association, Hawaii Public Health Institute, Okimoto Corp., Parents and Children Together, PPRM-Hawaii, and seven individuals.

Your Committee finds that the State will participate in the United States Department of Agriculture's Summer Electronic Benefits Transfer for Children Program, which addresses food insecurities by providing families with financial support during the summer to buy food at grocery stores, farmers markets, or other authorized retailers. Your Committee further finds that this measure will enable the Department of Human Services to develop and implement State participation in this important program, and includes additional funding for necessary administrative costs.

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. 2430, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2430, 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, 12. Noes, none. Excused, 1 (Kanuha).

SCRep. 3645 Ways and Means on H.B. No. 2488

The purpose and intent of this measure is to amend the minimum qualifications for the Chairperson of the Taxation Board of Review.

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 requiring the Chairperson of the Taxation Board of Review to be an attorney or accounting professional with knowledge of and experience in Hawaii state taxes will better reflect the necessary qualifications for the position and will enhance the pool of potential candidates.

Your Committee has amended this measure by changing the effective date from July 1, 3000, to July 1, 2024.

As affirmed by the record of votes of the members 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. 2488, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2488, 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 (Kanuha).

SCRep. 3646 Commerce and Consumer Protection on H.B. No. 2394

The purpose and intent of this measure is to amend various sections of article 11 of chapter 431, Hawaii Revised Statutes, that govern Insurance Holding Company Systems in the State to adopt certain revisions that were made to the National Association of Insurance Commissioners (NAIC) Model No. 440, Insurance Holding Company System Regulatory Act.

Your Committee notes that the companion to this measure, S.B. No. 3083, S.D. 1, Regular Session of 2024 (S.B. No. 3083, S.D. 1), is a substantially similar measure that also makes various amendments to article 11 of chapter 431, Hawaii Revised Statutes. S.B. No. 3083, S.D. 1, was previously passed by the Senate and is currently being considered in the House of Representatives.

Prior to the hearing on this measure, your Committee posted and made available for public view a proposed S.D. 1, which amends this measure by deleting its contents and replacing it with the contents of S.B. No. 3081, S.D. 1, Regular Session of 2024 (S.B. No. 3081, S.D. 1), which was previously passed by this Committee and subsequently deferred by your Committee on Ways and Means. S.B. No. 3081, S.D. 1, makes various amendments to title 24, Hawaii Revised Statutes, the State's Insurance Code. Specifically, the proposed S.D. 1:

- (1) Defines "dormant captive insurance company", sets out a procedure to apply for a certificate of dormancy, and exempts certified dormant captive insurance companies from certain taxes and reporting requirements;
- (2) Includes in the term "trade name", names under which individuals or business entities are conducting business or doing business as;
- (3) Clarifies continuing education provider filing requirements;
- (4) Clarifies reinsurance intermediary-manager filing requirements;
- (5) Amends the surety bond threshold requirement for third party administrators and clarifies the audited financial statements requirements; and
- (6) Amends the definitions of "controlled unaffiliated business" and "participant" as applied to captive insurance companies.

Your Committee received testimony in support of the proposed S.D. 1 from the Insurance Division of the Department of Commerce and Consumer Affairs.

Your Committee received comments on the proposed S.D. 1 from the Department of the Attorney General.

Your Committee finds that the National Association of Insurance Commissioners (NAIC) updated certain provisions of the Insurance Holding Company System Regulatory Act relating to, among other things, the group capital assessment and calculation, which captures insurer risk at the level of the entire group, and liquidity stress test calculation. During the public hearing on the proposed S.D. 1, the Insurance Commissioner testified that passage of the proposed S.D. 1, which makes amendments to the State's Insurance Code, and S.B. No. 3083, S.D. 1, which makes amendments to article 11 of the Insurance Code, are necessary administrative measures for the Insurance Division to properly supervise the insurance industry and maintain its accreditation status with the NAIC.

Accordingly, your Committee has amended this measure by adopting the proposed S.D. 1.

Your Committee notes the concerns raised in the testimony of the Department of the Attorney General that the proposed S.D. 1 may raise issues pertaining to germaneness, as articulated in *League of Women Voters of Honolulu v. State*, 150 Hawai'i 182, 499 P.3d 382 (2021). Your Committee expressly notes that the proposed S.D. 1 was advanced upon the request of the Insurance Commissioner and Department of Commerce and Consumer Affairs, and pursuant to discussions with the Department of the Attorney General during the public hearing, your Committee finds justified reason to recommend that the proposed S.D. 1 pass Second Reading. Your committee further notes, however, that it is the intent of your Committee to fully comply with the requirements as articulated in *League of Women Voters*, which held that the three-readings process "begin[s] anew after a non-germane amendment changes the object or subject of a bill so that it is no longer related to the original bill as introduced".

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. 2394, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2394, 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 (McKelvey). Noes, none. Excused, 1 (Awa).

SCRep. 3647 Judiciary on H.B. No. 1927

The purpose and intent of this measure is to:

- (1) Raise the criminal penalty for the offense of indecent exposure from a petty misdemeanor to a misdemeanor if the victim is less than sixteen years of age; and
- (2) Provide that the state of mind requirement is not applicable to the fact that the victim is less than sixteen years of age and that the actor is strictly liable with respect to the attendant circumstance that the victim was less than sixteen years of age.

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 two individuals.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender, Friends of Little Beach Maui, American Association of Nude Recreation, and one individual.

Your Committee finds that sexual assault is a serious matter and that victims of sexual assault can suffer trauma for many years. Additionally, children under the age of sixteen, who cannot legally consent to sexual activity, are more vulnerable and potentially subject to greater harm. Your Committee believes that children under sixteen should have more legal protection to prevent exposure to inappropriate sexual conduct. This measure is intended to deter harmful sexual conduct towards children by raising the penalty for the offense of indecent exposure when the victim is less than sixteen years of age.

Your Committee has amended this measure by:

- (1) Replacing the term "victim" with the term "person to whom the genitals were exposed" or "person exposed";
- (2) Clarifying that the person to whom the genitals were exposed must be less than sixteen years of age at the time of the offense for indecent exposure to be a misdemeanor;
- (3) Making it effective upon its approval;
- (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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1927, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1927, 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. 3648 Judiciary on H.B. No. 1604

The purpose and intent of this measure is to:

- (1) Allow the court to order substance abuse assessment and treatment of a defendant before trial; and
- (2) Prohibit the revocation of parole or arrest of a parolee solely due to the parolee having one positive test for drug use.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Office of the Public Defender, Community Alliance on Prisons, Hawaii Substance Abuse Coalition, Democratic Party of Hawai'i, Opportunity Youth Action Hawai'i, ACLU of Hawai'i, and five individuals.

Your Committee received testimony in opposition to this measure from the Hawaii Paroling Authority, Department of the Prosecuting Attorney of the City and County of Honolulu, and four individuals.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that many individuals facing criminal charges also struggle with substance abuse. However, the use of alcohol and illicit substances by parolees is often rooted in complex issues of addiction, rather than a deliberate choice to disregard the law or terms of parole. Additionally, treatment and support for substance abuse have been shown to be more cost-effective and beneficial to society than incarceration. Your Committee believes that subjecting a parolee to arrest and potential revocation of community supervision is disruptive to their overall efforts and progress in re-integrating into their community. This measure will allow people to receive necessary treatment early on and reduce the long-term impacts of untreated substance abuse.

Your Committee has amended this measure by:

- (1) Requiring any substance abuse assessment and necessary treatment be commenced within seven days of a court order issued prior to trial;
- (2) Adding as a basis that a parolee's parole may not be revoked or forfeited solely due to the parolee having one positive test for alcohol use;
- (3) Inserting an effective date of April 14, 2112, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1604, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1604, 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 (Elefante). Noes, none. Excused, 1 (Awa).

SCRep. 3649 (Majority) Judiciary on H.B. No. 1842

The purpose and intent of this measure is to:

- (1) Increase the maximum fine for violations of the fire protection laws;
- (2) Specify that each day a violation exists or continues to exist shall constitute a distinct and separate offense;
- (3) Raise the criminal penalty for the offense of arson in the fourth degree to a class C felony if the offense was committed during the time period and within the geographic area in which a red flag warning was in effect; and
- (4) Provide that the state of mind requirement is not applicable to the fact that the red flag warning was in effect and that the actor is strictly liable with respect to the attendant circumstance that the red flag warning was in effect.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Maui Chamber of Commerce, and one individual.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that more than ninety-nine percent of fires in the State are human caused. In the University of Hawaii's review of twelve thousand fires, eight hundred had a determined cause, with twenty percent of those fires being suspected arson. Your Committee believes that determining the cause of fires, particularly arson, is crucial to ensuring the accountability for the destruction of properties, environments, and injury or death. This measure will ensure the safety and protection of the State's communities, rangelands, and forested watersheds by deterring certain actions that lead to a heightened risk of wildfires.

Your Committee notes that upon enactment of this measure, the State and county governments will need to consider communicating best practices to those affected by this measure.

Your Committee has amended this measure by:

- (1) Decreasing the maximum fine for a violation of the fire protection laws from \$5,000 to \$2,500;
- (2) Changing the state of mind requirement applicable to the attendant circumstance that the red flag warning was in effect at the time and within the geographic area in which the act was committed to be negligence, rather than strict liability; and
- (3) Making it effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1842, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1842, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 3650 Judiciary on H.B. No. 2183

The purpose and intent of this measure is to establish safe harbor protections for survivors of sexual exploitation who seek medical or law enforcement assistance.

Your Committee received testimony in support of this measure from Rainbow Family 808, Imua Alliance, and four individuals.

Your Committee finds that more than twenty-three percent of sex trafficking victims in the State report being first exploited before turning eighteen. Additionally, more than eighty percent of victims report being raped and ninety-five percent report being physically assaulted. This measure will ensure that victims of sex trafficking are able to seek the help they need without being held legally responsible for the trauma they endured.

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. 2183, 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. 2183, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3651 (Majority) Judiciary on H.B. No. 2231

The purpose and intent of this measure is to:

- (1) Establish as a goal of the State the increased representation of female law enforcement officers in the State by 2030; and
- (2) Require each law enforcement agency to recruit law enforcement officers from diverse backgrounds.

Your Committee received testimony in support of this measure from the Department of Law Enforcement, Honolulu Police Department, State of Hawaii Organization of Police Officers, Stonewall Caucus of the Democratic Party of Hawai'i, ACLU of Hawai'i, Policing Project, and one individual.

Your Committee finds that the national average for sworn women police officers in county and city departments is approximately thirteen percent. Additionally, research indicates that female officers use less force, less excessive force, are named in fewer complaints and lawsuits, and see better outcomes for crime victims, especially in sexual assault cases. This measure will improve recruitment and retention of female police officers to meet police staffing shortages while building a police force that better meets the needs of the State's communities.

Your Committee has amended this measure by:

- (1) Expanding the employment goal of each law enforcement agency to include increasing the employment of law enforcement officers who do not adhere to the gender binary;
- (2) Requiring law enforcement agencies to recruit law enforcement officers from diverse backgrounds, including diverse educational backgrounds instead of only schools of social work;
- (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 members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2231, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2231, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Awa). Excused, none.

SCRep. 3652 (Joint/Majority) Judiciary and Ways and Means on H.B. No. 2193

The purpose and intent of this measure is to:

- (1) Authorize law enforcement and fire officers to enter and inspect any licensee's or permittee's premises, under certain conditions, to verify compliance with the State's Fireworks Control Law;
- (2) Establish procedures for the Department of Law Enforcement to conduct administrative inspections of controlled premises;
- (3) Require certain licensees and permittees to keep records and maintain inventories;
- (4) Require licensees and permittees to report any stolen fireworks or articles pyrotechnic;
- (5) Authorize a law enforcement agency or county fire department to safely dispose confiscated fireworks and articles pyrotechnic;
- (6) Require violators to be held liable for storage and disposal costs;
- (7) Specify that each type of prohibited firework constitutes a separate violation;
- (8) Authorize the Department of Law Enforcement, in addition to the counties, to enforce the Fireworks Control Law; and
- (9) Make an appropriation.

Your Committees received testimony in support of this measure from the Department of Law Enforcement, Pearl City Neighborhood Board No. 21, Hawaiian Humane Society, and three individuals.

Your Committees find that the Illegal Fireworks Task Force was established in 2023. Although it has been operational for a very short time, the Task Force has removed nearly two hundred thousand pounds of illegal fireworks off of the State's streets. This measure will address several weaknesses identified by the Illegal Fireworks Task Force which include requirements for licensing, recording, and reporting of fireworks related commodities; inspection and disposal authorities for state and county agencies; and a mechanism to recover costs associated with the storage and disposal from those responsible for any illegal fireworks confiscated by authorities.

Your Committees have amended this measure by:

- (1) Deleting language that would have made an unspecified appropriation amount for the continued operation of the Illegal Fireworks Task Force and reimbursement of funds to law enforcement agencies for Task Force-related law enforcement operations;
- (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 H.B. No. 2193, 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. 2193, H.D. 1, 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 (Kanuha, Shimabukuro).

SCRep. 3653 (Joint) Judiciary and Ways and Means on H.B. No. 1889

The purpose and intent of this measure is to expand workers' compensation medical benefits for firefighters to include coverage for breast cancer and cancer of the female reproductive organs.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations, Disability and Communication Access Board, State Fire Council, Honolulu Fire Department, ILWU Local 142, Chamber of Sustainable Commerce, and one individual.

Your Committees find that over the last decade, the fire profession has experienced an increase in firefighter deaths related to cancer, with female firefighters developing a wide variety of cancers and at an earlier age than most women. Your Committees further find that there are approximately forty female firefighters out of a total of nearly two thousand one hundred active firefighters in the State. Although this is not a high percentage of the total, your Committees believe that female firefighters deserve to be covered due to anatomical differences. This measure will provide female firefighters and their family with the financial and moral support they require if affected by certain cancers.

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. 1889, 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. 1889, H.D. 1, 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 (Kanuha, Shimabukuro).

SCRep. 3654 (Joint) Ways and Means and Judiciary on H.B. No. 2451

The purpose and intent of this measure is to improve the processes for assessing the mental health of criminal defendants.

More specifically, the measure:

- (1) Authorizes an examiner who is appointed to assess a defendant to conduct the examination via telehealth;
- (2) Amends the conditions for release and examination of fitness to proceed for defendants charged with certain petty misdemeanors;
- (3) Provides a mechanism for the automatic screening of certain petty misdemeanants for involuntary hospitalization or assisted community treatment; and
- (4) Appropriates moneys to establish full-time positions and provide additional resources to support the examination of defendants via telehealth.

Your Committees received written comments in support of this measure from the Judiciary, Disability and Communication Access Board, Behavioral Health Administration, Hawaii Substance Abuse Coalition, Hawaii Psychological Association, and three individuals.

Your Committees find that the mental health screenings and assessments authorized and supported by this measure will help the State intervene, divert, and treat persons having mental health issues who become involved with the State's criminal justice system. Your Committees further find that allowing defendants to be examined via telehealth will aid in the timely completion of court-ordered examinations.

Your Committees note that the written comments provided by the Department of Health offer suggested amendments for a conference committee to consider.

Your Committees have amended this measure by:

- (1) Clarifying the definition of "telehealth";
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2451, H.D. 3, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 2451, H.D. 3, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Kanuha, Shimabukuro).

Judiciary: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3655 (Majority) Commerce and Consumer Protection on H.B. No. 2020

The purpose and intent of this measure is to expand the definition of "renewable energy producer" in section 171-95, Hawaii Revised Statutes, which is used to determine the Board of Land and Natural Resources' disposition of public lands to renewable energy producers.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Public Utilities Commission, Kaua'i Island Utility Cooperative, and Eurus Energy America Corporation.

Your Committee received testimony in opposition to this measure from the Chamber of Sustainable Commerce and 350Hawaii.org.

Your Committee received comments on this measure from Hawaiian Electric.

Your Committee finds that section 171-95, Hawaii Revised Statutes, allows the Board of Land and Natural Resources to lease public lands to renewable energy producers without public auction, enabling the renewable energy producers to directly negotiate with the Board for favorable terms and conditions. However, under existing law, to be eligible for a directly negotiated lease, a renewable energy producer is required to sell all of the net power produced from the demised premises to an electric utility company regulated under the state Public Utilities Commission law. Your Committee finds that by amending the definition of "renewable energy producer" to remove these limitations, this measure will expand the pool of potential applicants eligible for leases, provide the Board of Land and Natural Resources with greater flexibility to generate revenue, and support the State in achieving its ambitious renewable energy goals.

Your Committee has amended this measure to clarify that this is not a wheeling measure, by inserting language specifying that the definition of "renewable energy producer" shall not be construed to allow wheeling of electricity over electric public utility lines or infrastructure that is not otherwise authorized by law or rule or order of the Public Utilities Commission.

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. 2020, 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. 2020, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 3; Ayes with Reservations (McKelvey). Noes, 1 (Awa). Excused, 1 (Richards).

SCRep. 3656 (Majority) Commerce and Consumer Protection on H.B. No. 2426

The purpose and intent of this measure is to clarify when a relative seeking to be a resource caregiver for a child is entitled to an administrative appeal for the Department of Human Services' denial of a foster home license.

Your Committee received testimony in support of this measure from the Department of Human Services and Department of the Attorney General.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that under existing law, when a relative is denied a license to be a child's resource caregiver, the Department of Human Services is required to provide the specific reasons for the denial and an explanation of the procedures for an administrative appeal. Your Committee finds, however, that existing law is not clear as to when the applicant may actually utilize the administrative appeals process. Therefore, this measure clarifies that an applicant may appeal the denial of a license using the administrative appeals process if the reason for the denial is the applicant's failure to meet the licensing standards adopted by the Department of Human Services, and if the denial is based on the fact that the child was not actually placed with the applicant, the applicant's recourse is to seek judicial review by the family court that has exclusive jurisdiction over placement determinations.

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. 2426, 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. 2426, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, 1 (Awa). Excused, 1 (Richards).

SCRep. 3657 Judiciary on H.B. No. 1554

The purpose and intent of this measure is to:

- (1) Expand the Department of Land and Natural Resources' rulemaking authority to include any rule to impose restrictions or requirements deemed necessary to protect certain aquatic life; and
- (2) Expand the Board of Land and Natural Resources' authority to temporarily adopt, amend, or repeal certain natural resource rules by formal action at a publicly noticed meeting if the Board finds that such adoption, amendment, or repeal is necessary to implement effective and adaptive management measures in light of newly available technology, or in light of newly available data.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that pursuant to section 187A-2, Hawaii Revised Statutes, the Department of Land and Natural Resources (Department) is mandated to manage and administer the aquatic life and aquatic resources of the State. Although the Department currently uses a variety of existing management tools, such as size limits, bag limits, closed seasons, gear restrictions, and permitting of specific gear to regulate the State's fisheries through the adoption of administrative rules, your Committee believes that broadening the suite of management tools will allow more effective management of the State's aquatic resources. This measure will therefore better equip the Department to effectively manage aquatic resources statewide.

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. 1554, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1554, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Awa).

SCRep. 3658 Judiciary on H.B. No. 2298

The purpose and intent of this measure is to:

- (1) Establish a timeline by which roasted coffee, instant coffee, and ready-to-drink coffee beverages that use a geographic origin in labeling or advertising are required to contain a certain percent coffee by weight from that geographic origin; and
- (2) Exempt retailers that do not package roasted coffee, instant coffee, or ready-to-drink coffee beverages from liability for the sale of roasted coffee, instant coffee, or ready-to-drink coffee beverages that use a label or advertisement in violation of the coffee labeling law.

Your Committee received testimony in support of this measure from the Department of Agriculture; two members of the Hawai'i County Council; Hawai'i Farmers Union United; Mai Mahealani Farm, LLC; Guard Well Farm; Rancho Aloha Coffee Farm; Konaloha Farms; Kona Coffee Farmer's Association; Mountain Thunder Coffee Plantation; Huahua Farm; Kanalani Ohana Farm; Absolute Palate, LLC; Bea's Knees Farm, LLC; Hawaii Coffee Association; Synergistic Hawaii Agriculture Council; Hawai'i Farm Bureau; The Buna Coffee Company; Ka'awaloa Trail Farm; Hawaii Coffee Growers Association; Cyanotech Corporation; South Kona Estate Coffee Farm; 'Aina Design Corp.; Hawai'i Alliance for Progressive Action; Chamber of Sustainable Commerce; The Martin Ohana Farm; The Four Sens, LLC; Ka'u Coffee Mill, and thirty-one individuals.

Your Committee received testimony in opposition to this measure from the Hawaii Coffee Company, Kaiwi Farms, Aloha Hills Coffee, Mulvadi Corporation, A Better Cup Coffee Consulting, and twenty-three individuals.

Your Committee received comments on this measure from Retail Merchants of Hawaii, Hawaii Food Industry Association, and one individual.

Your Committee finds that coffee is a premium commodity and one of the State's important agricultural crops. Despite the premium value of Hawaii-grown coffee, the State has not protected the integrity of the names of coffee origin regions. Instead, existing law allows coffee blends that only contain very small amounts of coffee beans from the State's distinctive regions to use the name of those regions on product packaging, a practice that deceives consumers and harms coffee growers. This measure will protect consumers by ensuring that minimum blend amounts allowed for coffee products that bear geographic origin names constitute a majority of the product from that geographic origin and are sufficient to ensure that the product reflects the quality and character of the region.

Your Committee has amended this measure by making nonsubstantive, technical 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. 2298, 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. 2298, 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 (Awa).

SCRep. 3659 Judiciary on H.B. No. 1922

The purpose and intent of this measure is to:

- (1) Expand the Department of Land and Natural Resources' rulemaking authority to include any rule deemed necessary to protect certain wildlife; and
- (2) Expand the Board of Land and Natural Resources' authority to timely adopt, amend, or repeal certain rules if the Board finds that the action is necessary to implement effective and adaptive management measures in response to impacted natural resources or in light of newly available technology or data.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that administrative rules provide state agencies with direction to effectively carry out their mandates. However, certain situations may arise that require timely action by state agencies, including the Department of Land and Natural Resources, to reflect emerging and rapidly advancing technology and data. Therefore, the Board and Department of Land and Natural Resources should be provided with greater flexibility to adopt, amend, or repeal certain rules for effective management in the event of new technology or available data. Accordingly, this measure will ensure that the Department of Land and Natural Resources has the flexibility necessary to ensure ongoing protection of natural resources and wildlife statewide.

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. 1922, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1922, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3660 Judiciary on H.B. No. 2278

The purpose and intent of this measure is to:

- (1) Clarify labeling requirements for macadamia nuts;
- (2) Require country of origin to be included on the label of a consumer package of processed macadamia nuts; and
- (3) Allow a private right of action for violations.

Your Committee received testimony in support of this measure from the Department of Agriculture; one member of the Hawai'i County Council; Hawai'i Farmers Union United; Synergistic Hawai'i Agriculture Council; Hawaiian Macadamia Nut Services; Hawai'i Farm Bureau; Hawai'i Alliance for Progressive Action; Hawaii Cattlemen's Council, Inc.; Island Harvest Inc.; Macadamia Growers of Hawai'i; Cyanotech Corporation; Hawai'i Macadamia Nut Association; LavaRock Farm; Susan's Nuts; and one hundred sixty individuals.

Your Committee received testimony in opposition to this measure from the Hawaiian Host Group and one hundred ninety-two individuals.

Your Committee finds that macadamia nuts have become an agricultural and cultural export for the State. However, certain macadamia nut products utilize Hawaii-branded packaging and marketing despite using foreign or out-of-state materials. Without proper labeling, consumers cannot know whether they are truly buying Hawaiian-grown products. This measure will align existing state law with federal country of origin requirements, make it easier for the Department of Agriculture to support small and mid-sized growers who wish to bring their Hawaiian-grown products to market, and allow the State's growers to stand out in the marketplace.

Your Committee has amended this measure by making it effective on 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. 2278, 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. 2278, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3661 Judiciary on H.B. No. 1599

The purpose and intent of this measure is to:

- (1) Require public meeting notices to inform members of the public how to provide remote oral testimony in a manner that allows the testifier, upon request, to be visible to board members and other meeting participants; and
- (2) Recognize a board's authority to remove and block individuals who disrupt meetings.

Your Committee received testimony in support of this measure from the Hawaii Employer-Union Health Benefits Trust Fund, Disability and Communication Access Board, Public First Law Center, and ACLU of Hawai'i.

Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that existing law permits boards to refuse to permit individuals to testify by videoconference without giving up certain rights, such as disclosing their identity or registering in advance of a meeting. Your Committee further finds that this process creates a tiered system that denies remote testifiers the opportunity to be visible in front of board members while testifying. This measure will ensure that members of the public have the opportunity to participate by both audio and video means at remote meetings subject to the Sunshine Law.

Your Committee has amended this measure by inserting an effective date of January 1, 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. 1599, 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. 1599, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3662 Judiciary on H.B. No. 1600

The purpose and intent of this measure is to require boards to schedule a meeting for deliberation and decision-making on a report by an investigative group at least six business days after the board meeting in which the investigative group presented the findings and recommendations of its investigation to the board.

Your Committee received testimony in support of this measure from the Office of Information Practices, League of Women Voters of Hawaii, and Public First Law Center.

Your Committee finds that existing law has an exception to the Sunshine Law's open meetings requirement to permit a limited number of board members to investigate an issue and report back to the board before a decision is made. Existing law also requires that in these cases, the board must hold three meetings. However, boards have circumvented the legislative intent of this exception by separately noticing these meetings back-to-back, in some instances only minutes after one another. This measure will set a clear standard for how much time must elapse between these mandatory meetings.

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. 1600, 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. 1600, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3663 Judiciary on H.B. No. 2342

The purpose and intent of this measure is to:

- (1) Prohibit carrying or using a firearm in the commission of a separate misdemeanor offense;
- (2) Amend and clarify prohibitions regarding deadly or dangerous weapons, switchblade knives, and butterfly knives; and
- (3) Clarify hunter education certificates and other written exemptions regarding permit issuing.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, and one individual.

Your Committee received testimony in opposition to this measure from sixty individuals.

Your Committee finds that under existing law, it is a class C felony to knowingly possess a pistol or other deadly or dangerous weapon while engaged in the commission of a crime. This measure will protect the public from the serious risks associated with the carrying of firearms in connection with criminal activity by updating that prohibition and creating a separate class C felony offense for carrying a firearm while engaged in the commission of a separate misdemeanor offense.

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. 2342, 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. 2342, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3664 Judiciary on H.B. No. 2337

The purpose and intent of this measure is to replace representatives from the sugar and pineapple industries with representatives of the coffee and diversified agriculture industries on the Advisory Committee on Pesticides.

Your Committee received testimony in support of this measure from the Department of Agriculture, University of Hawai'i System, Hawai'i Farm Bureau, and Hawai'i Farmers Union United.

Your Committee finds that there has been a significant reduction in the agricultural footprint of the sugar and pineapple industries since the Advisory Committee on Pesticides was established. Your Committee believes that amending the membership of the Advisory Committee on Pesticides by replacing the sugar and pineapple industries with a representative from the coffee industry, which is among the top three most economically significant crops in the State, as well as adding a representative of diversified agriculture, will allow broader representation of commodities. This measure will update the membership of the Advisory Committee on Pesticides to more accurately reflect the existing landscape of the agriculture industry in 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. 2337, 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. 2337, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3665 Judiciary on H.B. No. 2295

The purpose and intent of this measure is to:

- (1) Authorize stopping, standing, and parking restrictions and prohibitions on property under jurisdiction of the Director of Transportation and the counties, respectively; and
- (2) Specify that the counties may issue traffic infractions for violations of any law prohibiting or restricting the stopping, standing, or parking of vehicles on all highways and county property.

Your Committee received testimony in support of this measure from the Department of Transportation and Ulupono Initiative.

Your Committee finds that issuing citations for traffic violations bolsters the enforcement of county and state traffic laws while increasing public safety and reducing congestion due to vehicular traffic. This measure will improve the safety of the State's roadways

by ensuring that counties are able to issue traffic infractions where vehicles are creating an unsafe environment on roadways and properties under the Department of Transportation or county jurisdiction.

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

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3666 Judiciary on H.B. No. 2071

The purpose and intent of this measure is to:

- (1) Provide that any photo red light imaging detector system's clear and unobstructed recorded image of a motor vehicle license plate shall be prima facie evidence that the motor vehicle to which the license plate is attached is the motor vehicle for which the license plate was issued; and
- (2) Require the State, the county, or the State's or county's third-party contractor to implement a process to record the date on which the summons or citation was submitted to the post office, which shall be prima facie evidence of the date the summons or citation was submitted to the post office.

Your Committee received testimony in support of this measure from the Department of Transportation and Disability and Communication Access Board.

Your Committee finds that vehicles that fail to stop for a red light pose a danger to pedestrians and other motorists. Your Committee further finds that pedestrians with certain disabilities, such as vision impairments or mobility issues, and children, who are less visible to drivers, are especially at risk. This measure will allow for increased enforcement to make the State's roadways safer and hold individuals accountable for failing to stop for a red light.

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. 2071, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2071, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3667 Judiciary on H.B. No. 1902

The purpose and intent of this measure is to:

- (1) Clarify that the Governor's and mayors' emergency management powers shall be consistent with the Hawaii State Constitution;
- (2) Clarify the scope of the comprehensive emergency management plan;
- (3) Clarify the powers of the Governor and mayors to extend or terminate a state of emergency;
- (4) Shorten the duration of price control periods from ninety-six hours to seventy-two hours; and
- (5) Amend emergency management law to protect tenants, mortgagors, consumers, and residents for certain periods of time after the issuance of a gubernatorial or mayoral emergency proclamation.

Your Committee received testimony in support of this measure from the Hawai'i Association of REALTORS, Retail Merchants of Hawaii, Lāhāina Strong, Green Party of Hawai'i, Save Honolulu Coalition, Hawaii Food Industry Association, Hawai'i Alliance for Progressive Action, Jewish Voice for Peace-Hawai'i, Hawai'i State AFL-CIO, Help Maui Rise, and two-hundred and ten individuals.

Your Committee received testimony in opposition to this measure from the Hickam Federal Credit Union, Hawaii State Federal Credit Union, Wailuku Federal Credit Union, Hawaii First Federal Credit Union, Hawaii Community Federal Credit Union, Valley Isle Community Federal Credit Union, Maui Federal Credit Union, Grassroot Institute of Hawaii, Mortgage Bankers Association of Hawaii, Hawaii Credit Union League, Hawaii Bankers Association, Honolulu Federal Credit Union, Aloha Pacific Federal Credit Union, Big Island Federal Credit Union, Consumer Data Industry Association, Hāmākua Federal Credit Union, and eleven individuals.

Your Committee received comments on this measure from the Hawaii Financial Services Association and two individuals.

Your Committee finds that pursuant to section 127A-30, Hawaii Revised Statutes, when the Governor or a mayor declares a state of emergency, there is a prohibition that follows on any increase in the selling price of any commodity. Your Committee further finds that the use of emergency proclamations has expanded in recent years and there is almost always an active emergency proclamation at any given time. Differences in interpretation of the Governor's and mayor's emergency powers have led to confusion and inconsistent business practices. This measure will provide clarity in the laws granting the Governor and mayors emergency powers.

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. 1902, 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. 1902, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Elefante, San Buenaventura). Noes, none. Excused, 1 (Awa).

SCRep. 3668 (Joint/Majority) Judiciary and Ways and Means on H.B. No. 2443

The purpose and intent of this measure is to:

- (1) Repeal the sunset date of the authorization for primary caregivers to cultivate medical cannabis for qualifying patients;
- (2) Clarify that primary caregivers may continue to cultivate medical cannabis for qualifying patients subject to certain restrictions; and
- (3) Increase the maximum number of qualified patients for which each location used to cultivate cannabis may cultivate cannabis from five to ten patients.

Your Committees received testimony in support of this measure from the Department of Health, Cannabis Society of Hawai'i, and four individuals.

Your Committees received testimony in opposition to this measure from Aloha Green Apothecary, Care Waialua, Oahu Cannabis Farms Alliance, and thirty-one individuals.

Your Committees received comments on this measure from the Department of the Attorney General, Akamai Cannabis Consulting, and one individual.

Your Committees find that grow site limits are important for ensuring patient safety and monitoring compliance with state rules for growing cannabis for medical use to prevent excessive growth and diversion from the medical-use system. Additionally, each patient is permitted to grow up to ten plants, meaning a ten-patient limit will restrict the total number of plants at a grow site to no more than one hundred plants. Your Committees believe that this is a manageable grow site size for the Department of Health to adequately monitor. This measure will therefore increase patient access to medical marijuana without compromising patient safety.

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. 2443, 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, 12. Noes, none. Excused, 1 (Kanuha).

SCRep. 3669 (Joint) Ways and Means and Judiciary on H.B. No. 2359

The purpose and intent of this measure is to establish a Digital Equity Grant Program to award grants to support digital equity projects benefitting certain covered populations in the State.

Your Committees received written comments in support of this measure from the Department of Commerce and Consumer Affairs; Department of Business, Economic Development, and Tourism; Hawaii State Health Planning and Development Agency; State Council on Developmental Disabilities; Disability and Communication Access Board; Office of Hawaiian Affairs; Kauai County Council; Hawaii Primary Care Association; AARP Hawaii; Kapolei Chamber of Commerce; Hawaii Broadband Hui; Charter Communications; Hawaii Library Association; Waianae Coast Comprehensive Health Center; Hawaiian Telcom; Chamber of Commerce Hawaii; and Maui Chamber of Commerce.

Your Committees find that supporting access to digital technology and broadband services for underserved communities in the State will help expand employment and educational opportunities and improve access to health care in those communities.

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. 2359, H.D. 2, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Kanuha, Shimabukuro).

Judiciary: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3670 (Majority) Commerce and Consumer Protection on H.B. No. 1633

The purpose and intent of this measure is to amend the law that exempts owner-builders from state law governing contractors by:

- (1) Repealing language that allows lessees of the property to be eligible for the exemption; and
- (2) Repealing language that requires the buildings or structures to be built or improved for the property owner's own use or for use by the owner's grandparents, parents, siblings, or children.

Your Committee received testimony in support of this measure from the Hawai'i Association of REALTORS and Grassroot Institute of Hawaii.

Your Committee received testimony in opposition to this measure from the Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs and Contractors License Board.

Your Committee finds that property owners that construct or improve certain buildings or structures on their own property can do so without a construction license by obtaining an owner-builder exemption permit. However, under the existing law governing owner-builder exemptions, any newly constructed or improved building or structure must ultimately be for the owner's or their family's use and occupancy. Your Committee finds that this requirement has made it difficult and more expensive for homeowners who seek to self-convert their single-family residences into leasable multi-family dwellings. Therefore, this measure removes certain restrictions on the use of a property built or improved pursuant to the owner-builder exemption to help stimulate the construction of rental housing and increase the housing supply in Hawaii.

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. 1633, 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, 1 (Awa). Excused, 1 (Richards).

SCRep. 3671 Commerce and Consumer Protection on H.B. No. 1896

The purpose and intent of this measure is to, beginning January 1, 2027, 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 intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS), with certain exceptions.

Your Committee received testimony in support of this measure from the Sierra Club of Hawai'i, Chamber of Sustainable Commerce, Hawai'i Food+ Policy Internship 2024, and two individuals.

Your Committee received comments on this measure from Beautycounter.

Your Committee finds that PFAS, a group of manufactured chemicals that have been used in industry and consumer products since the 1940s because of their useful properties, are known as "forever chemicals" because they build up in human bodies and do not break down naturally in the environment. Current scientific research suggests that PFAS--which can be found in fire extinguishing foam, food packaging, and household and personal care products--leaches into water, soil, and food and may lead to adverse reproductive effects, developmental effects or delays in children, increased risk of some cancers, and interference with the body's natural hormones, among others. Recognizing the harm of PFAS, the State prohibited the manufacture, sale, or distribution for sale or use of certain types of food packaging beginning December 31, 2024, and fire extinguishing foam, beginning July 1, 2024, that contain PFAS through Act 152, Session Laws of Hawaii 2022. This measure expands the State's ban on PFAS to protect the environment and human health from their detrimental and toxic effects.

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. 1896, H.D. 2, 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 (Richards).

SCRep. 3672 Commerce and Consumer Protection on H.B. No. 1944

The purpose and intent of this measure is to authorize certain types of radiographical coverage and specialist consultations without a treatment plan within the context of workers' compensation coverage for employees with cervical and lumbar spinal injuries, or suspected cervical and lumbar spinal injuries.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Hawaii Insurers Council, Work Injury Medical Association of Hawaii, and three individuals.

Your Committee finds that untreated serious injuries to the cervical or lumbar spine can result in paralysis or the loss of muscle strength in some extremities. Emergency diagnostic tests, such as x-rays, magnetic resonance imaging (MRI), and neurological consultations, can help identify spinal cord injuries early so that treatment to possibly prevent the permanent loss of function can be instituted as quickly as possible. Early diagnosis and treatment can also allow employees to return to their jobs sooner. Therefore, this measure expedites the diagnosis of and streamlines the medical treatment for employees who sustained serious injuries to the cervical or lumbar spine while working, by allowing them to obtain an MRI and consultation with a specialist within the first sixty days after the injury without a treatment plan under the context of workers' compensation coverage.

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. 1944, H.D. 2, 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 (Richards).

SCRep. 3673 Education on H.B. No. 2577

The purpose and intent of this measure is to:

- (1) Authorize the Department of Health to require the Department of Education to report coronavirus disease 2019 potential outbreaks or other public health emergencies and related information in a manner most appropriate to public health and safety, as determined by the Department of Health; and
- (2) Repeal the requirement to publish the report on the Department of Education's website.

Your Committee received testimony in support of this measure from the Department of Education and Department of Health.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that Act 4, Special Session Laws of Hawaii 2021 (Act 4), mandated the Department of Education to publish weekly reports of coronavirus disease 2019 (COVID-19) cases in public schools. The federal public health emergency for the COVID-19 pandemic ended on May 11, 2023. Since then, the State has transitioned to post-pandemic public health and safety procedures. However, the Department of Education is required to continue its mandate by Act 4 despite shifting public health trends regarding COVID-19. Therefore, this measure streamlines existing reporting procedures while ensuring the health and safety of Hawaii's keiki and the greater educational community.

Your Committee acknowledges the concerns raised by the Department of the Attorney General that personally identifiable information may be inadvertently shared in the Department of Education's reporting process, violating the federal Family Educational Rights and Privacy Act (FERPA). Amendments to this measure are therefore necessary to address this concern.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language prohibiting the Department of Health from requiring the Department of Education to include in any report personally identifiable information or education records pursuant to FERPA;
- (2) Authorizing the Department of Education to provide personally identifiable information only after the Department of Education has determined that a health or safety emergency exists; and
- (3) Making it effective upon its approval.

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. 2577, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2577, 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 (Kidani).

SCRep. 3674 (Majority) Commerce and Consumer Protection on H.B. No. 2316

The purpose and intent of this measure is to clarify the cumulative voting requirements for condominium association meetings. Specifically, this measure clarifies that:

- (1) In condominium elections, cumulative voting rights apply to all candidates regardless of whether they are nominated; and
- (2) Individual votes are used in cumulative voting.

Your Committee received testimony in support of this measure from the Hawai'i State Association of Parliamentarians; Palehua Townhouse Association; Hawaii First Realty LLC; Honolulu Tower AOA; Law Offices of Mark K. McKellar, LLLC; and fourteen 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 under the existing law governing cumulative voting in condominium association elections, cumulative voting is authorized only for nominated persons, to the exclusion of write-in candidates. Therefore, this measure expands the authorization for cumulative voting to include write-in candidates to ensure that every vote in a condominium election can be distributed among candidates as the voter sees fit, regardless of nomination status.

Your Committee notes testimony raising concerns that under existing law, the statutory cumulative voting requirements apply to cumulative voting only if the association's bylaws provide for cumulative voting for an election at a meeting, allowing some associations to circumvent the statutory restrictions. Your Committee further notes testimony requesting for clarification in statute allowing cumulative voting to be used when write-in candidates are selected by an owner. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language clarifying that if an election is to be held by cumulative voting pursuant to the bylaws, rather than if the bylaws provide for cumulative voting for an election at a meeting, each unit owner present in person or represented by proxy shall have a number of votes equal to the unit owner's voting percentage multiplied by the number of positions to be filled at the election; and
- (2) Inserting a definition of the term "candidate" to mean a nominee or write-in candidate.

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. 2316, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2316, 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 (Awa). Excused, 1 (Richards).

SCRep. 3675 (Majority) Commerce and Consumer Protection on H.B. No. 2317

The purpose and intent of this measure is to:

- (1) Clarify that the deadline for proxy votes to be delivered to the secretary of a planned community association or the managing agent for association meetings is 4:30 p.m. Hawaii-Aleutian Standard Time; and
- (2) With respect to statements of owners requesting nomination to boards of directors that accompany notices of intent to distribute proxies by the board, specify that the statements are not to exceed one single-sided eight and one-half inches by eleven inches page.

Your Committee received testimony in support of this measure from the Hawai'i State Association of Parliamentarians; Palehua Townhouse Association; Hawaii First Realty LLC; Law Offices of Mark K. McKellar, LLC; and thirteen individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee received comments on this measure from two individuals.

Your Committee finds that, under existing law, planned community associations are allowed to limit the statements of owners who request a nomination to the board of directors to one hundred words. However, your Committee finds that this one-hundred-word limitation may not be sufficient to allow a person requesting a nomination to the board to appropriately convey their qualifications to other owners. Therefore, this measure repeals the one-hundred-word limitation, but maintains the requirement that the statement shall not exceed one single-sided eight and one-half inches by eleven inches page or one hundred kilobytes, if the board's notice of intent to distribute proxies states that a longer statement shall be available on the Internet.

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. 2317, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2317, 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 (Awa). Excused, 1 (Richards).

SCRep. 3676 Judiciary on H.B. No. 1915

The purpose and intent of this measure is to update the Uniform Probate Code by reducing the number of required publications of a notice to creditors by a trustee to once a week for two successive weeks, consistent with amendments made by Act 158, Session Laws of Hawaii 2023, to publication requirements applicable to probate matters generally.

Your Committee received testimony in support of this measure from the Judiciary, Commission to Promote Uniform Legislation, and one individual.

Your Committee finds that Act 158, Session Laws of Hawaii 2023 (Act 158), among other amendments, amended the Uniform Probate Code under section 501:3-801(a), Hawaii Revised Statutes, to require the petitioner to file a notice to creditor from once a week for three weeks to once a week for two weeks. Act 158 inadvertently did not amend the frequency requirements for a trustee or successor trustee to file notices to creditors, which remained at once a week for three weeks. Your Committee believes that having consistent provisions is necessary for the efficiency of the probate and trust administration process. Therefore, the purpose of this measure is to harmonize the requirements for trustees and successor trustees with the requirements for petitioners so that notices to creditors, whether filed by a petitioner or by trustees or successor trustees, would be once a week for two successive weeks.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1915, 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 (San Buenaventura, Awa).

SCRep. 3677 Judiciary on H.B. No. 1916

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 no testimony on this measure.

Prior to decision making on this measure, your Committee made available for public review a proposed S.D. 1 of this measure. The proposed S.D. 1 amends this measure by:

- (1) Expanding protections to cover the protected personal information of:
 - (A) The Governor;
 - (B) The Lieutenant Governor;
 - (C) The State Administrative Director appointed pursuant to section 26-3, Hawaii Revised Statutes;
 - (D) Any head of a state department established under section 26-4, Hawaii Revised Statutes;
 - (E) Any member of the Legislature;
 - (F) Any active, formerly active, or retired justice of the Hawaii Supreme Court;

- (G) Any judge of the Hawaii Intermediate Court of Appeals;
 - (H) Any judge of a Hawaii circuit court or circuit family court;
 - (I) Any judge of a Hawaii district court or district family court;
 - (J) A per diem judge of a Hawaii district court or district family court;
 - (K) Any active, formerly active, or retired justice of the United States Supreme Court;
 - (L) Any judge of the United States Court of Appeals;
 - (M) Any judge or magistrate judge of the United States District Court;
 - (N) Any judge of the United States Bankruptcy Court who resides in the State, formerly resided in the State while serving as a federal judge, or owns real property in the State;
 - (O) The Administrative Director of the Courts;
 - (P) The Deputy Administrative Director of the Courts;
 - (Q) Any employee or volunteer of the Office of Elections; and
 - (R) Any person designated for good cause by the Governor, Chief Justice, Chairperson of the Office of Hawaiian Affairs, President of the Senate, or Speaker of the House of Representatives in the designator's respective body;
- (2) Further prohibiting the posting or disclosure of personal information;
 - (3) Establishing the offense of unlawful publication of personal information;
 - (4) Establishing within the State's Address Confidentiality Program protection for public servants through a process for employees to request that personal information not be disclosed or publicly available; and
 - (5) Inserting legislative findings.

Your Committee received testimony in support of the proposed S.D. 1 from the Judiciary, Consumer Data Industry Association, Hawaii State Bar Association, American Judicature Society, Hawaii State Trial Judges Association, and six individuals.

Your Committee received testimony in opposition to the proposed S.D. 1 from the Public First Law Center, TechNet, Hawaii Chapter of the Society of Professional Journalists, and RELX Group.

Your Committee received comments on the proposed S.D. 1 from the Department of the Attorney General, Department of Land and Natural Resources, Department of Law Enforcement, Office of Information Practices, and Department of Budget and Fiscal Services of the City and County of Honolulu.

Your Committee finds that in the last few years across the country there are numerous examples of horrific acts of violence being committed against public servants and their families at their homes. Your Committee believes that the escalating threats and safety concerns underscore how imperative it is to safeguard the personal residences and other personally identifying information of certain public servants. This measure will allow the State to play a proactive role in preserving the safety and wellbeing of dedicated individuals who serve the public.

Your Committee has amended this measure by adopting the proposed S.D. 1 and further amending the measure by:

- (1) Prohibiting government agencies, persons, and organizations from making publicly available on the Internet the protected personal information of certain public servants upon request of the public servant or their representative;
- (2) Deleting the offense of unlawful publication of personal information, and instead providing that the covered public servant or family member may bring an action seeking injunctive or declaratory relief, with the person or organization required to pay costs and attorneys fees, and in the case of a government agency no costs or fees would be awarded;
- (3) Placing the protections in a new chapter within the Hawaii Revised Statutes, instead of within the State's Address Confidentiality Program;
- (4) Adding the Chief Judge of the United States District Court for the District of Hawaii to the list of people who may designate for good cause additional public servants as a covered public servant;
- (5) Increasing the time in which the government agency, person, or organization is required to remove the protected information from the Internet from seventy-two hours to three business days of receiving a request to remove and adding an additional ten business day extension to remove the protected information;
- (6) Requiring that a request to a government agency to remove the protected information:
 - (A) Be made by the covered public servants' department head;
 - (B) Identify the specific government record or indexed document number;
 - (C) Be made no more than once a month; and
 - (D) Include all covered public servants in a single request, with the possibility of additional requests under exigent circumstances;
- (7) Expanding the type of records or information exempted to include:

- (A) Copies of recorded instruments affecting title to real property provided by a title insurance company to a government agency;
 - (B) Records provided by a government agency to another government entity; provided that the records are not publicly available on the Internet;
 - (C) Information that is part of a news story, commentary, editorial or other speech on a matter of public concern;
 - (D) Provision or disclosure of information pursuant to the Fair Credit Reporting Act, Gramm-Leach-Bliley Act, Health Insurance Portability and Accountability Act, and the Driver's Privacy Protection Act; and
 - (E) Publication of notices that are required by law;
- (8) Amending section 1 to reflect its amended purpose;
 - (9) Making it effective on October 1, 2024; and
 - (10) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1916, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1916, 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. 3678 Ways and Means on H.B. No. 1760

The purpose and intent of this measure is to support the development of affordable housing in the State.

Specifically, this measure:

- (1) Authorizes the Hawaii Housing Finance and Development Corporation and the counties to establish a bond recycling program and secure a line of credit or other instrument of indebtedness for the bond recycling program;
- (2) Requires a reserve to be maintained for the unsecured portion of debt incurred for the bond recycling program;
- (3) Establishes a subaccount within the rental housing revolving fund to be used as a reserve for the bond recycling program; and
- (4) Requires a county or bond issuer to report to the Department of Budget and Finance and Hawaii Housing Finance and Development Corporation on the status of loans issued under the bond recycling program.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation; NAIOP Hawaii; Maui Chamber of Commerce; and Stanford Carr Development, LLC.

Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that bond recycling is a valuable tool that allows the State and counties to efficiently utilize tax-exempt private activity bond volume from previous years while preserving the current volume cap. Your Committee further finds that authorizing bond recycling in Hawaii will support the expansion of affordable housing development in the State.

Your Committee has amended this measure by:

- (1) Renaming the bond recycling program as the bond volume cap recycling program;
- (2) Removing language authorizing the Hawaii Housing Finance and Development Corporation or a county to secure a line of credit or other instrument of indebtedness for the bond recycling program;
- (3) Removing language requiring the Hawaii Housing Finance and Development Corporation to maintain a certain amount of moneys in reserve;
- (4) Adding language that enables the Legislature to authorize the Hawaii Housing Finance and Development Corporation to secure lines of credit or other instruments of indebtedness in a total amount that does not exceed \$150,000,000 for a term that corresponds to each fiscal biennium;
- (5) Authorizing the Hawaii Housing Finance and Development Corporation to secure a line of credit or other instrument of indebtedness in an amount not to exceed \$150,000,000 during the current fiscal biennium that ends on June 30, 2025, to meet the requirements of federal tax law for the bond volume cap recycling program;
- (6) Removing preamble language that provided that this measure would exclude bond debt under the bond recycling program from the State's debt limit;
- (7) Establishing the bond volume cap recycling program subaccount as a new subsection in section 201H-202, HRS, rather than within an existing subsection; 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. 1760, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1760, 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 (Kanuha).

SCRep. 3679 Ways and Means on H.B. No. 1827

The purpose and intent of this measure is to appropriate moneys for health care workforce development initiatives.

More specifically, this measure appropriates moneys to:

- (1) The Department of Labor and Industrial Relations for:
 - (A) The public high school health care workforce certificate program; and
 - (B) The glidepath program for certified nurse aides; and
- (2) The Department of Education to renovate and equip certain public high school classrooms to be used for health care training.

Your Committee received written comments in support of this measure from the Department of Education, Hawaii State Council on Developmental Disabilities, Hawaii State Health Planning and Development Agency, Hawaii Pacific Health, Hawaii Primary Care Association, Hawaii State Teachers Association, Healthcare Association of Hawaii, Kaiser Permanente, Kapalama Neighborhood Security Watch, and Palolo Chinese Home.

Your Committee finds that the initiatives supported by the funding in this measure will help address the State's growing health care workforce needs.

Your Committee notes that in its written comments the Healthcare Association of Hawaii recommended the following amendments to the measure:

- (1) Inserting language into Part II to clarify that the public high school health care workforce certificate program is intended to incorporate transition-to-employment support with demonstrated partner employers to fill in-demand professions and serve the islands of Oahu, Hawaii, Kauai, and Maui;
- (2) Inserting language into Part III to clarify that the renovation and equipping of high school classrooms to be used for health care training should be done in partnership with nonprofit community development and restoration organizations;
- (3) Inserting language into Part IV to clarify that the glidepath program is intended to serve certified nurse aides working in long-term care facilities on the islands of Maui, Oahu, Hawaii, and Kauai and who are enrolled in employer-based cohorts that incorporate employer-sponsored tuition support, educational support, and wrap services; and
- (4) Amending all references to the Department of Labor and Industrial Relations to instead refer to the Department of Business, Economic Development, and Tourism.

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. 1827, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1827, 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, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3680 Ways and Means on H.B. No. 2404

The purpose and intent of this measure is to amend the state income tax law.

More specifically, this measure:

- (1) Changes income tax rates to unspecified amounts;
- (2) Changes the applicable percentage and minimum applicable percentage of the employment-related expenses for which the Child and Dependent Care Income Tax Credit may be claimed to unspecified percentages;
- (3) Changes the adjusted gross income overage and annual threshold amounts used to calculate the applicable percentage to unspecified amounts; and
- (4) Conforms state tax laws to certain federal deductions.

Your Committee received testimony in support of this measure from the Office of The Governor, Department of Taxation, Hawaii County Office of Aging, AARP Hawaii, Catholic Charities Hawaii, Chamber of Commerce Hawaii, Hawaii Alliance for Progressive Action, Hawaii Children's Action Network Speaks!, Hawaii Family Caregiver Coalition, Hawaii Primary Care Association, Hawaii State Democratic Women's Caucus, and nineteen individuals.

Your Committee received comments on this measure from the Democratic Party of Hawaii, Grassroot Institute of Hawaii, Hawaii Appleseed Center for Law and Economic Justice, Hawaii Public Health Institute, League of Women Voters of Hawaii, and Tax Foundation of Hawaii.

Your Committee finds that providing tax relief 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 deleting its contents and inserting provisions to:

- (1) Increase the amounts for the income tax brackets and standard deduction amounts for tax year 2024;
- (2) Adjust annually for tax years beginning after December 31, 2024, the income tax brackets 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, 2023.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2404, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2404, 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 (Kanuha).

SCRep. 3681 Ways and Means on H.B. No. 2484

The purpose and intent of this measure is to conform the state income tax law and estate and generation—skipping transfer tax law to the Internal Revenue Code of 1986, as amended as of December 31, 2023.

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 recognizes that this measure serves to comply with sections 235-2.5(c) and 236E-4(c), Hawaii Revised Statutes, which require the Department of Taxation to submit legislation to conform relevant state tax laws to the Internal Revenue Code as it existed on the December 31 preceding each Regular Session, to the extent appropriate for the State.

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. 2484, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2484, 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 (Kanuha).

SCRep. 3682 (Joint) Commerce and Consumer Protection and Ways and Means on H.B. No. 2136

The purpose and intent of this measure is to require the Department of Agriculture to establish and implement a pesticide inspection program that:

- (1) Increases compliance with the proper use of restricted use pesticides;
- (2) Ensures the continued prohibition on the use or application of pesticides containing chlorpyrifos; and
- (3) Informs the public of the most recent pesticide inspection results on the Department of Agriculture's website.

Your Committees received testimony in support of this measure from the Food+ Policy Internship 2024, Hawai'i Farmers Union United, and seven individuals.

Your Committees received comments on this measure from the Department of Agriculture, Hawai'i Farm Bureau, Hawai'i Alliance for Progressive Action, and one individual.

Your Committees find that restricted use pesticides are pesticides that require regulatory controls in addition to the rules for controlling the misuse of pesticides to ensure that only people with special knowledge, skills, equipment, and supplies are allowed to buy, use, or supervise their use. Your Committees further find that because the improper sale, use, or supervision of restricted use pesticides can cause significant harm to both public health and the environment, it is necessary to establish a systematic process for conducting certain inspections relating to restricted use pesticides and require the results of those inspections to be made available to the public. Therefore, by requiring the Department of Agriculture to establish and implement a pesticide inspection program, this measure will protect the health of the environment and people in the State and promote greater transparency and accountability pertaining to the use of restricted use pesticides in the State.

Notwithstanding, your Committees have heard the concerns raised by the Hawai'i Farm Bureau, requesting that this measure be amended for clarification and to ensure due process regarding information published on the Department of Agriculture's website as a result of this measure. Therefore, amendments to this measure are necessary to address these issues.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that the Department of Agriculture, in establishing the pesticide inspection program, shall:
 - (A) Develop a system to conduct inspections periodically, rather than annually; and
 - (B) Make a summary of data, rather than all of the data, available to the public on the online reporting tool for restricted use pesticides; and
- (2) Inserting language clarifying that the Department of Agriculture shall post the results of pesticide inspections upon completion of a final order issued by the Department for a violation of the pesticide inspection program or any rules adopted thereunder, rather than post the results of all pesticide inspections conducted pursuant to the pesticide inspection program.

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. 2136, 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. 2136, H.D. 2, 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 (Awa).

Ways and Means: Ayes, 11; Ayes with Reservations (DeCoite). Noes, none. Excused, 2 (Aquino, Wakai).

SCRep. 3683 Judiciary on H.B. No. 1611

The purpose and intent of this measure is to require law enforcement agencies and the Law Enforcement Standards Board to consult the National Decertification Index and report certain information related to a law enforcement officer's certification status to the Index.

Your Committee received testimony in support of this measure from the ACLU of Hawai'i and Policing Project at NYU School of Law.

Your Committee received testimony in opposition to this measure from the State of Hawaii Organization of Police Officers.

Your Committee received comments on this measure from the Department of Law Enforcement.

Your Committee finds that law enforcement officers are authorized to use physical force to enforce laws and have the de facto power to stop anyone, at any time, for any reason, and that these encounters can result in injury or death. Your Committee believes that when this authority is abused and results in the suspension or revocation of the law enforcement officer's certification, the Law Enforcement Standards Board should be transparent about sharing that information with other law enforcement agencies. Additionally, your Committee believes that the Law Enforcement Standards Board should conduct thorough background checks before certifying a new officer to ensure that the officer has not abused their authority in another position. This measure will strengthen the State's decertification laws by sharing officer certification suspension and revocation information with other states through the National Decertification Index and require hiring agencies to review the same information before hiring new officers.

Your Committee has amended this measure by:

- (1) Clarifying that before certifying or employing any law enforcement officer, the Law Enforcement Standards Board and the employing law enforcement agency are required to consult the National Decertification Index to determine whether the applicant or employee is listed and to review any information about that person;
- (2) Clarifying that the Law Enforcement Standards Board is required to report to the National Decertification Index each time the board opens an investigation into whether a law enforcement officer does not meet the minimum standards for employment;
- (3) Requiring the Law Enforcement Standards Board to take certain actions to determine if the National Decertification Index is accepting certain information or records by July 1, 2026, instead of July 1, 2025;
- (4) Making it effective on July 1, 2026; 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1611, 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. 1611, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Awa).

SCRep. 3684 Judiciary on H.B. No. 1869

The purpose and intent of this measure is to:

- (1) Establish the felony offenses of misuse of uncrewed aircraft in the first, second, and third degrees; and
- (2) Require uncrewed aircraft to be operated by a human operator at all times.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee received comments on this measure from Hawaiian Electric and one individual.

Your Committee finds that new technology, such as drones, may be used to conduct illegal activities including the drug trade, gang activities, smuggling contraband, and to facilitate assaults. Specifically, drones may be used to deliver contraband including weapons in or near jails and prisons with little warning or detection. This measure will ensure that drones are not used to create an increased risk to the safety, security, and well-being of the State's residents.

Your Committee has amended this measure by:

- (1) Including the use of an uncrewed aircraft in furtherance of the commission of a felony under misuse of uncrewed aircraft in the third degree instead of misuse of uncrewed aircraft in the first degree;
- (2) Deleting language that would have prohibited a person convicted of misuse of uncrewed aircraft in the second or third degree from being eligible for a deferred acceptance of guilty plea or nolo contendere plea under chapter 853, Hawaii Revised Statutes;
- (3) Making it effective upon its approval; and

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1869, 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. 1869, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3685 Judiciary on H.B. No. 1529

The purpose and intent of this measure is to:

- (1) Allow any burial council member whose term has expired to continue in office as a holdover member until the member's reappointment to a second term is confirmed or a successor is nominated and appointed;
- (2) Prohibit holdover members from holding office beyond the end of the fourth regular session of the Legislature following the expiration of the member's term of office; and
- (3) Allow burial councils to allow council members and the public to participate in meetings remotely, using interactive conference technology.

Your Committee received no testimony on this measure.

Your Committee finds that Island Burial Council meetings are often postponed because they lack sufficient quorum. These delays are often caused by the expiration of a member's term, the delay of a member's reappointment, or a successor not being timely appointed. This measure will reduce unnecessary delays to Island Burial Council meetings.

Your Committee has amended this measure by:

- (1) Deleting redundant language that would have allowed burial councils to allow council members and the public to participate in meetings remotely, using interactive conference technology;
- (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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1529, 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. 1529, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3686 Judiciary on H.B. No. 1578

The purpose and intent of this measure is to:

- (1) Permit a shipping container chassis that holds a valid out-of-state certificate of vehicle registration to obtain a certificate of safety inspection; and
- (2) Make an out-of-state registration for a shipping container chassis valid in the State until its expiration in the other state or for one year after a vehicle safety inspection.

Your Committee received testimony in support of this measure from the Department of Transportation; Matson Navigation Company, Inc.; and Hawaii Harbors Users Group.

Your Committee finds that shipping container chassis are a critical part in moving container cargo out of ports and to final destinations. Due to the nature of intermodal equipment, shipping container chassis are frequently moved from port to port and state to state. Your Committee further finds that most other states in the country recognize the intermodal and interstate nature of shipping container chassis and out-of-state license plates and registrations. This measure will support safe and efficient cargo operations and reduce the costs of transporting goods.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1578, H.D. 2, 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. 3687 Judiciary on H.B. No. 2581

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 All Hawaii News; Hawaii Chapter of the Society of Professional Journalists; Public First Law Center; Albatross News; Hawaii Association of Broadcasters, Inc.; Grassroot Institute of Hawaii; Pacific Media Group; and three individuals.

Your Committee finds that existing law allows the Governor or a mayor to suspend electronic media transmission during an emergency. Your Committee further finds that this authority is overly broad and vague, as the term electronic media could include not only radio and television broadcasts, but also text messages, emails, and posts to social media platforms, which would restrain lawful free speech and violate the First Amendment of the United States Constitution. This measure will ensure that First Amendment rights remain protected during an emergency declaration by removing the Governor's and mayor's emergency power to suspend electronic media transmissions.

Your Committee has amended this measure by inserting an effective date of April 14, 2112, 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. 2581, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2581, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3688 Judiciary on H.B. No. 2493

The purpose and intent of this measure is to create two new commercial driver's license restrictions relating to operating a commercial motor vehicle in excess of eighteen thousand pounds gross vehicle weight rating and operating a commercial motor vehicle on Lanai and Molokai only.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that commercial driver's license testing on Lanai and Molokai has been determined by the Federal Motor Carrier Safety Association to not meet federal standards. Your Committee further finds that specific driving skills needed to operate commercial motor vehicles, including the ability to choose a safe gap for changing lanes, passing other vehicles, and crossing or entering traffic and the ability to signal appropriately when changing direction in traffic, cannot be tested due to the lack of highway infrastructure. By creating a two-tiered licensing system, this measure will increase roadway safety and allow individuals to continue to obtain commercial driver's licenses to operate on Lanai and Molokai.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2493, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2493, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3689 Judiciary on H.B. No. 2491

The purpose and intent of this measure is to amend existing state law to adopt federal penalties for commercial driver's license violations.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that special penalties related to commercial motor vehicle employer and driver out-of-service violations and railroad-highway grade crossing violations are inadequate according to the Federal Motor Carrier Safety Administration. Your Committee further finds that failure to comply with federal regulations may jeopardize funding Hawaii currently receives from the Federal Motor Carrier Safety Administration. This measure will improve roadway safety within the State by adopting federal penalties for commercial driver's license violations.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2491, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2491, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3690 Judiciary on H.B. No. 2482

The purpose and intent of this measure is to:

- (1) Repeal the requirement for the Office of the Lieutenant Governor and county clerk's offices to timely post paper or electronic copies of all meeting notices filed by boards in a central location in a public building, and instead, require the offices to ensure access to paper or electronic copies of the notices; and
- (2) Repeal the statute providing that cancellation of a meeting is not required for failure of a board to file a copy of the meeting notice with the Office of the Lieutenant Governor or the appropriate county clerk's offices and retain a copy of proof of filing the notice, or failure of the Office of the Lieutenant Governor or county clerk's offices to timely post paper or electronic copies of the meeting notice in a central location in a public building.

Your Committee received testimony in support of this measure from the Office of Lieutenant Governor and one individual.

Your Committee received testimony in opposition to this measure from All Hawaii News.

Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that under existing law, a board must provide a copy of its notice to the Lieutenant Governor or clerk, who must then post a paper or electronic copy in a central location in a public building. The Lieutenant Governor has historically met the posting requirement by posting paper copies in the Capitol basement and the clerks have historically posted paper copies in a prominent county office building. However, the existing law does not require posting in either of those specific locations. This measure will increase efficiency and reduce paper usage across state departments and agencies while ensuring that public access to notices is maintained.

Your Committee has amended this measure by:

- (1) Inserting an effective date of April 14, 2112, 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. 2482, 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. 2482, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3691 (Joint/Majority) Judiciary and Ways and Means on H.B. No. 2471

The purpose and intent of this measure is to establish a statutory framework for inspections of public land leases or licenses by the Department of Land and Natural Resources, including by third-party inspectors contracted by the Department.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committees find that under chapter 171, Hawaii Revised Statutes, and the terms and conditions of the various land dispositions approved by the Board of Land and Natural Resources, the Department of Land and Natural Resources (Department) has the authority to periodically inspect the premises under lease, license, or revocable permit. However, the Department's land agents are typically not architects, engineers, or licensed contractors and may not be qualified to identify components of existing structures on the premises in need of repair or replacement. To address this, the House Investigative Committee established under House Resolution No. 164 (2021) recommended that the Department select third-party inspectors to conduct physical inspections of leased properties at the expense of the lessee. This measure will ensure that long-term dispositions like leases and licenses are properly inspected and that all necessary corrective actions as determined by qualified inspectors are taken.

Your Committees have amended this measure by making it effective on July 1, 2024.

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. 2471, 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. 2471, H.D. 2, 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 (Kanuha).

SCRep. 3692 (Joint) Judiciary and Ways and Means on H.B. No. 2218

The purpose and intent of this measure is to amend the Hawaiian Homes Commission Act of 1920, as amended, to increase the loan limit for direct loans provided by the Department of Hawaiian Home Lands from fifty percent to seventy-five percent of the maximum single residence loan amount allowed in Hawaii by the United States Department of Housing and Urban Development's Federal Housing Administration.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands, Office of Hawaiian Affairs, one member of the Hawai'i County Council, Makaha Hawaiian Civic Club, and four individuals.

Your Committees find that costs associated with buying and building homes have gone up significantly in recent years. Your Committees believe that the current limit on loan amounts of fifty percent of the maximum single resident loan amount in the State is unnecessary and unreasonably constrains native Hawaiian beneficiaries' ability to finance the building and purchasing of homes on Hawaiian homelands. This measure will help Department of Hawaiian Home Lands beneficiaries to purchase or make improvements to their homes.

Your Committees have amended this measure by inserting language requiring the Department of Hawaiian Home Lands to provide financial literacy education for all borrowers.

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. 2218, 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. 2218, H.D. 1, 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 (Kanuha).

SCRep. 3693 (Joint) Judiciary and Ways and Means on H.B. No. 1838

The purpose and intent of this measure is to:

- (1) Expand the zoning powers of counties; and
- (2) Expand the scope of the transient accommodations tax law to include certain shelters and vehicles with sleeping accommodations.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs, Office of the Mayor of the County of Maui, one member of the Maui County Council, one member of the Kaua'i County Council, Puakukui Owners Residents Neighborhood Organization, Kohala Coast Resort Association, Sierra Club of Hawai'i, UNITE HERE Local 5, Help Maui Rise, Tagnawa, Hawai'i Lodging and Tourism Association, Jewish Voice for Peace Hawai'i, Maui Housing Hui, Hawai'i Alliance for Progressive Action, ILWU Local 142, Lāhainā Strong, Green Party of Hawai'i, and more than two hundred individuals.

Your Committees received testimony in opposition to this measure from the O'ahu Short-Term Rental Alliance; Maui Paradise Properties; Hawaii First Realty LLC; Hawaii Legal Short Term Rental Alliance; REALTORS Association of Maui, Inc.; Hawai'i Association of REALTORS; Hawai'i Mid and Short-Term Rental Alliance; Kaua'i Board of REALTORS; Maui Chamber of Commerce; Maui Vacation Rental Association; Tiki Moon Villas; Rental By Owner Awareness Association; West Hawaii Association of REALTORS; Aloha Vacation Rentals; Serendipity Associates; Honolulu Board of REALTORS; ZEN, Inc.; Kama'āina Occupied Short-Term Rentals O'ahu; Molokai Vacation Properties; and more than five hundred fifteen individuals.

Your Committees received comments on this measure from the Department of Taxation, Maui Hotel and Lodging Association, Grassroot Institute of Hawaii, Airbnb, Tax Foundation of Hawaii, and four individuals.

Your Committees find that there is an acute shortage of long-term housing options for residents, which is exacerbated when existing inventory is reserved for visitor use only. Your Committees believe that while the counties are working to address housing demand, they should also be empowered to gradually phase out the use of short-term rentals over time. This measure will increase the availability of long-term housing options by encouraging housing to be used for the purpose of providing long-term homes for the State's residents.

Your Committees have amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1838, 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. 1838, 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 (Kanuha, Shimabukuro).

SCRep. 3694 (Joint) Judiciary and Ways and Means on H.B. No. 2505

The purpose and intent of this measure is to:

- (1) Increase the fines for violations of land use laws; and
- (2) Impose enhanced fines for developers and owners of important agricultural lands who repeatedly use the lands for unintended purposes.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committees received comments on this measure from the Department of Agriculture.

Your Committees find that there may be individuals who abuse the important agricultural land designation system for its incentives. Your Committees believe that individuals who exploit their important agricultural lands designation for personal or financial gain should be subjected to enhanced penalties. This measure will allow the State to support a diversity of agricultural activities and opportunities that expand agricultural income and job opportunities and increase agricultural self-sufficiency in the State by deterring individuals from using their important agricultural lands for unintended purposes.

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. 2505, 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, 12. Noes, none. Excused, 1 (Kanuha).

SCRep. 3695 Judiciary on H.B. No. 1597

The purpose and intent of this measure is to:

- (1) Clarify that members of the public may sue a board or alleged board after receiving an adverse Office of Information Practices decision, and that the decision will be reviewed de novo;
- (2) Establish a two-year statute of limitations to bring the lawsuit and reaffirm a complainant's right to seek review by the Office of Information Practices first;

- (3) Recognize that only a member of the public may recover attorney's fees and costs if that person prevails in an open meetings lawsuit;
- (4) Require that persons suing for open meetings law violations notify the Office of Information Practices about the lawsuit so that it may decide whether to intervene; and
- (5) Require open meetings lawsuits that seek to void a board's final action to be prioritized by the courts.

Your Committee received testimony in support of this measure from the Office of Information Practices and Public First Law Center.

Your Committee finds that under existing law, if the Office of Information Practices (Office) issues a decision finding that a board did not violate the Sunshine Law, there is not a clear statutory path for the person who complained to the Office to challenge the Office's decision. Following a cause of action brought after a decision by the Office that a board had not violated the Sunshine Law, the Hawaii Supreme Court ruled that the complaining party is allowed to sue the Office instead of the board for the alleged Sunshine Law violation. This measure will conform the Sunshine Law with similar Uniform Information Practices Act appeal processes to allow a person to sue the relevant board over the board's alleged violation and require the court to hear the lawsuit de novo.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1597, 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 (Awa).

SCRep. 3696 Ways and Means on H.B. No. 2501

The purpose and intent of this measure is to repeal the reporting requirement that the University of Hawaii identify the cost impacts to the State of providing workers' compensation coverage for University of Hawaii students.

Your Committee received written comments in support of this measure from the University of Hawaii.

Your Committee finds that no workers' compensation claims for University of Hawaii students have been made since the 2014-2016 fiscal biennium. However, the University of Hawaii is still required to submit a biennial report to the Legislature, whether or not a claim is made. Your Committee further finds that a similar reporting requirement for the Department of Education was repealed by Act 224, Session Laws of Hawaii 2022. Your Committee thus recognizes that the reporting requirement for the University of Hawaii is no longer necessary.

Your Committee has amended this measure by changing the effective date from July 1, 3000, to upon its approval.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2501, 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. 2501, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3697 Ways and Means on H.B. No. 2662

The purpose and intent of this measure is to provide recreational and educational opportunities for youth tenants in public housing.

More specifically, this measure:

- (1) Requires the Hawaii Public Housing Authority to establish a two-year Recreation and Education Upward Mobility Pilot Program;
- (2) Authorizes the Hawaii Public Housing Authority to contract with third parties to implement the pilot program; and
- (3) Appropriates moneys for the pilot program.

Your Committee received written comments in support of this measure from the Hawaii Public Housing Authority, Kalihi Community Center, and one individual.

Your Committee finds that the pilot program established by this measure will provide youth tenants in public housing with extra-curricular and educational opportunities that can assist with their socioeconomic upward mobility.

Your Committee notes that the Hawaii Public Housing Authority has requested an appropriation of \$10,500,000 to rehabilitate, remodel, renovate, and repair approximately one hundred fifty housing units to help the Authority address federally-mandated improvements and retrofitting of units.

Your Committee has amended this measure by appropriating an unspecified amount to the Hawaii Public Housing Authority to rehabilitate, remodel, renovate, and repair approximately one hundred fifty housing units.

As affirmed by the record of votes of the members 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. 2662, 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. 2662, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3698 Ways and Means on H.B. No. 1912

The purpose and intent of this measure is to increase the capacity of the District Court of the First Circuit.

Specifically, this measure statutorily establishes one additional district court judgeship in the First Circuit.

Your Committee received written comments in support of this measure from the Judiciary and Hawaii State Bar Association.

Your Committee finds that the additional District Court judge position authorized by this measure will allow the District Court of the First Circuit to better manage court dockets, be more responsive to the needs of the community, increase capacity in rural courts, and develop and expand specialized court calendars.

As affirmed by the record of votes of the members 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. 1912, 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 (DeCoite, Kidani).

SCRep. 3699 Ways and Means on H.B. No. 1914

The purpose and intent of this measure is to increase the rate of compensation and maximum allowable amounts per case for court-appointed counsel in criminal proceedings.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii State Bar Association, and ACLU of Hawaii.

Your Committee finds that the increased rate of compensation in this measure will assist the Judiciary in recruiting and maintaining qualified and experienced counsel to be appointed in criminal proceedings statewide.

Your Committee notes that this measure, as received by your Committee, appropriated \$2,500,000 for the increased rate of compensation provided by the measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$2,500,000 to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1914, 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. 1914, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (DeCoite, Kidani).

SCRep. 3700 Ways and Means on H.B. No. 1917

The purpose and intent of this measure is to appropriate moneys for collective bargaining cost items for Judiciary employees who are members of a collective bargaining unit and for their excluded counterparts.

Your Committee received written comments in support of this measure from the Judiciary; United Public Workers, AFSCME Local 646, AFL-CIO; and one individual.

Your Committee finds that the exclusive representative of various collective bargaining units has been pursuing temporary hazard pay for work performed by government employees during the coronavirus disease 2019 pandemic. Your Committee further finds that this measure provides a vehicle to appropriate moneys for the temporary hazard pay of the Judiciary employees who are members of those collective bargaining units and for their excluded counterparts.

As affirmed by the record of votes of the members 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. 1917, 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 (DeCoite, Kidani).

SCRep. 3701 Ways and Means on H.B. No. 2069

The purpose and intent of this measure is to facilitate the modernization of the State's information technology resources.

Specifically, this measure authorizes the employment of persons within the Comptroller's office in positions who:

- (1) Are exempt from state laws governing civil service and collective bargaining; and
- (2) Support communications, change management, and business process improvement programs related to the State's information technology modernization efforts.

Your Committee received written comments in support of this measure from the Department of Accounting and General Services.

Your Committee finds that authorizing the Department of Accounting and General Services to recruit and retain employees who are exempt from the civil service and collective bargaining laws will increase the Department's capacity to effectively perform critical state 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. 2069, 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 (DeCoite, Kidani).

SCRep. 3702 Ways and Means on H.B. No. 2373

The purpose and intent of this measure is to make emergency appropriations for collective bargaining cost items for the members of bargaining units (1) and (10) and their excluded counterparts for fiscal biennium 2023-2025.

Your Committee received written comments in support of this measure from the Department of Budget and Finance; Judiciary; United Public Workers, AFSCME Local 646, AFL-CIO; and University of Hawaii.

Your Committee finds that the exclusive representative of collective bargaining units (1) and (10) has been pursuing temporary hazard pay for work performed by government employees during the coronavirus disease 2019 pandemic. Your Committee further finds that this measure provides a vehicle to appropriate moneys for the temporary hazard pay of employees in those collective bargaining units and for their excluded counterparts.

As affirmed by the record of votes of the members 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. 2373, 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 (DeCoite, Kidani).

SCRep. 3703 Ways and Means on H.B. No. 1964

The purpose and intent of this measure is to strengthen the State's childcare and early education workforce.

Specifically, this measure:

- (1) Establishes a child care provider subsidy and bonus program to adequately compensate and retain the existing early child care workforce in all licensed and registered child care provider settings; and
- (2) Appropriates moneys for the child care provider subsidy and bonus program.

Your Committee received written comments in support of this measure from the Early Learning Board, Office of Hawaiian Affairs, Executive Office on Early Learning, Office of the Mayor of the County of Hawaii, a member of the Hawaii County Council, Department of Research and Development of the County of Hawaii, Department of Community Services of the City and County of Honolulu, Early Childhood Resource Center of the County of Maui, Chamber of Sustainable Commerce, Parents and Children Together, Courtney's Day Care, Hawaii Alliance for Progressive Action, Hawai'i Children's Action Network Speaks!, Hawaii State Coalition Against Domestic Violence, American Association of University Women Hawaii, Holomua Collaborative, He'e Coalition, Early Childhood Action Strategy, Hawaii Women Lawyers, Aloha United Way, The Samuel N. and Mary Castle Foundation, Chamber of Commerce Hawaii, Hawaii Democratic Women's Caucus, and more than fifty 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 University of Hawaii.

Your Committee finds that the demand for quality child care and early education far exceeds the number of qualified child care and early education professionals currently available in the State. Your Committee further finds that the establishment of a child care provider subsidy and bonus program will help to retain and recruit child care and early education professionals.

Your Committee has amended this measure by:

- (1) Codifying the child care provider subsidy and bonus program in Chapter 346, part VIII, subpart A, Hawaii Revised Statutes;
- (2) Clarifying that an application to participate in the child care provider subsidy and bonus program must contain proof that only child care workers, instead of both child care workers and family child care homes, are employees of a licensed or registered child care provider; 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. 1964, 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. 1964, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3704 Ways and Means on H.B. No. 2131

The purpose and intent of this measure is to address the spread of the two-lined spittlebug throughout the State.

More specifically, this measure:

- (1) Appropriates moneys to the Department of Agriculture to mitigate and control infestations of the two-lined spittlebug and fund recovery efforts for areas affected by the two-lined spittlebug; and
- (2) Requires the Department of Agriculture to submit a report to the Legislature.

Your Committee received written comments in support of this measure from the College of Tropical Agriculture and Human Resources of the University of Hawaii; Department of Agriculture; Department of Land and Natural Resources; Coordinating Group on Alien Pest Species; Hawaii Cattlemens Council; Hawaii Farm Bureau; Hawaii Farmers Union; Hawaii Food+ Policy; Kealia Ranch; Kualoa Ranch; Larry Jeffs Farms, LLC; Ulupono Initiative; and numerous individuals.

Your Committee finds that the two-lined spittlebug is severely damaging the rangelands on the island of Hawaii and creating opportunities for invasive weed species to overtake grass species. Your Committee notes that the damage caused by the two-lined spittlebug also includes the creation of dead grasses and other wildfire fuels. Accordingly, your Committee believes that providing for the mitigation and control of two-lined spittlebug infestations will help to protect the State's rangelands and prevent future wildfires.

Your Committee has amended this measure by:

- (1) Requiring the Department of Agriculture to submit a final report to the Legislature; 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. 2131, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2131, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3705 Ways and Means on H.B. No. 2216

The purpose and intent of this measure is to increase the state supplemental payment limits for certain adult residential care homes, licensed developmental disabilities domiciliary homes, community care foster family homes, and certified adult foster homes.

Your Committee received written comments in support of this measure from the Disability and Communication Access Board; State Council on Developmental Disabilities; AARP Hawaii; Adult Foster Homecare Association of Hawaii; Alliance of Professional Primary Care Administrators; Coalition of Caregivers; Community Home Care Association; International Longshore and Warehouse Union Local 1000; Sebastians Arch, LLC; United Community Healthcare of Hawaii; and numerous individuals.

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

Your Committee finds that increasing the state supplemental payment limits for types I and II adult residential care homes, licensed developmental disabilities domiciliary homes, community care foster family homes, and certified adult foster homes will help to ensure that the actual costs incurred by care providers are adequately defrayed.

Your Committee has amended this measure by repealing outdated statutory language that initially established the dates by which the state supplemental payments were increased for residential care homes classified as either facility type I or II, licensed developmental disabilities domiciliary homes, community care foster family homes, and certified adult foster homes.

As affirmed by the record of votes of the members 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. 2216, 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. 2216, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3706 Ways and Means on H.B. No. 2619

The purpose and intent of this measure is to appropriate moneys for the biosecurity program of the Department of Agriculture to develop and implement projects for clean plant material, agricultural treatments, diagnostics, and pest management.

Your Committee received written comments in support of this measure from the Hawaii Department of Agriculture; Department of Land and Natural Resources; Office of Hawaiian Affairs; County of Maui; Larry Jeffs Farms, LLC; Hawaii Cattlemen's Council; Land Use Research Foundation of Hawaii; Hawaii Floriculture and Nursery Association; Hawaii Farm Bureau; Hawaii Crop Improvement Association; Ulupono Initiative; Carol Kwan Consulting, LLC; Maui County Farm Bureau; and four individuals.

Your Committee finds that the State's agricultural biosecurity program helps safeguard Hawaii's unique environment, natural resources, public health, and agricultural industries. The program's pre-entry measures, port-of-entry inspections, post-entry measures, and other programs help protect the State from the introduction and spread of harmful pests.

Your Committee has amended this measure by:

- (1) Deleting Section 1 of the measure and renumbering subsequent sections accordingly; and
- (2) Amending the appropriation to fund thirteen programs and one hundred ten positions in support of the State's biosecurity and invasive species response. Your Committee notes that of these programs and positions:
 - (A) Seventy-eight positions and \$17,619,338 in general funds will be added to Program ID AGR122. Of these seventy-eight positions, thirty-two positions and \$2,376,168 in general funds are new positions and funds, and the remaining forty-six positions and funds were previously included in the base budget through special funds; and
 - (B) Thirty-two positions and \$2,178,530 in general funds will be added to Program ID AGR846. Of these thirty-two positions, twelve positions and \$804,492 in general funds are new positions and funds, and the remaining twenty positions and funds were previously included in the base budget through revolving 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. 2619, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2619, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3707 Ways and Means on H.B. No. 2742

The purpose and intent of this measure is to establish a pre-litigation mediation procedure for Maui tenancies that are subject to the current eviction moratorium.

Specifically, this measure:

- (1) Requires landlords to provide Maui tenants with at least fifteen calendar days of notice before terminating a rental agreement for failure to pay rent and initiating a summary proceeding for possession of the dwelling unit;
- (2) Authorizes tenants to schedule a mediation within the fifteen-day period to prohibit landlords from evicting tenants while the mediation is pending, subject to certain deadlines; and
- (3) Requires the landlord to participate in the mediation if scheduled by the tenant.

Your Committee received written comments in support of this measure from the Judiciary and the Mediation Center of the Pacific, Inc.

Your Committee received written comments on this measure from the Hawaii Association of REALTORS.

Your Committee finds that the expiration of the Maui eviction moratorium may potentially result in lawsuits that could overwhelm courts on Maui. Your Committee believes that establishing a pre-litigation mediation process will help to reduce state court workload, keep tenants housed, and leave landlords with an acceptable alternative to a summary proceeding for possession of a dwelling unit.

Your Committee acknowledges the written comments submitted by the Hawaii Association of REALTORS, which requests that a provision for rent relief be added to this measure to help ensure that tenants are able to stay in the homes they are renting. The written comments by the Hawaii Association of REALTORS also explain that, without a rent relief provision, the measure merely delays eviction without addressing the root issue that gives rise to the evictions.

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. 2742, 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. 2742, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3708 Ways and Means on H.B. No. 2395

The purpose and intent of this measure is to exempt from enrollment in the Employees' Retirement System members of the Hawaii National Guard who are ordered into active duty to provide services to the State.

Your Committee received written comments in support of this measure from the Department of Defense.

Your Committee received written comments on this measure from the Employees' Retirement System.

Your Committee finds that members of the Hawaii National Guard who are not also state or county employees may ultimately never vest in, or benefit from, the State's retirement system. This measure will allow these servicemembers to retain more of their earned compensation by exempting them from mandatory enrollment in the Employees' Retirement System.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2395, 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. 2395, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Kidani).

SCRep. 3709 Ways and Means on H.B. No. 2489

The purpose and intent of this measure is to exempt the senior software developers in the Department of Taxation from civil service.

Your Committee received written comments in support of this measure from the Department of Taxation.

Your Committee recognizes that the Department of Taxation has faced difficulty in recruiting and retaining experienced software developers, as persons with the experience and skillset needed to perform this type of work require commensurate salaries that exceed

what is currently provided by civil service. Accordingly, your Committee finds that exempting the Department's senior software developers from civil service law will facilitate the Department's attempts to attract and retain qualified employees.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2489, 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. 2489, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3710 Ways and Means on H.B. No. 2396

The purpose and intent of this measure is to authorize the State to provide an allowance for the payment of TRICARE Reserve Select coverage to junior officers, warrant officers, and enlisted personnel of the Hawaii National Guard who are ordered to active duty for more than thirty days in the service of the State.

Your Committee received written comments in support of this measure from the Department of Defense.

Your Committee finds that providing an allowance for Tricare Reserve Select coverage is the most cost-effective way for the State to ensure accessible and affordable health care coverage for members of the Hawaii National Guard when the members are called into active duty service for an extended period.

Your Committee has amended this measure by:

- (1) Changing the measure's effective date from July 1, 2042, to upon its approval; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2396, 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. 2396, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Kidani).

SCRep. 3711 Ways and Means on H.B. No. 2570

The purpose and intent of this measure is to require attorneys who are applying to practice in the State pro hac vice to include certain evidence in their applications, in addition to the information and evidence required by the rules of the Hawaii Supreme Court, to ensure that both the applicant and local counsel will pay all state income tax due for Hawaii business activities.

Your Committee received written comments in support of this measure from the Hawaii Association of Public Accountants.

Your Committee received written comments in opposition to this measure from the Judiciary.

Your Committee received written comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the additional evidence required by this measure for petitions or motions to practice in Hawaii pro hac vice will help ensure compliance with the State's income tax laws, reduce the need for certain tax audits, and inform out-of-state attorneys who practice in the State's courts of their Hawaii tax obligations.

Your Committee has amended this measure by clarifying that applications to practice in the State pro hac vice should include an affirmation that both the applicant and local counsel will pay all general excise tax as well as all state income tax due for Hawaii business activities, as recommended in written comments from the Hawaii Association of Public Accountants.

As affirmed by the record of votes of the members 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. 2570, 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. 2570, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3712 Ways and Means on H.B. No. 2485

The purpose and intent of this measure is to make certain amendments to state taxation law.

Specifically, the measure:

- (1) Repeals a \$5 fee for each certified copy of a tax clearance;
- (2) Establishes a \$500 fine for failure to comply with reporting requirements under the general excise tax law and transient accommodations tax law for collection of rent by a third party; and
- (3) Increases from \$50 to \$1,000 the unfair competition fine under the general excise tax law.

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 Travel Technology Association, Expedia Group, and one individual.

Your Committee finds that the \$5 fee for each certified copy of a tax clearance is outdated because the Department of Taxation no longer certifies tax clearances. Your Committee also finds that although current law requires every person authorized to collect rent on behalf of an owner of real property in the State to provide certain information to the Department, there is currently no penalty for the failure to comply. Your Committee further finds that the fine in the general excise law for unfair competition has not been increased since 1935, and an increase is necessary to adjust for inflation.

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. 2485, 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. 2485, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (DeCoite, Kidani).

SCRep. 3713 Ways and Means on H.B. No. 1913

The purpose and intent of this measure is to increase the rate of compensation and maximum allowable amounts per case for court-appointed counsel and guardians ad litem in family court proceedings.

Your Committee received written comments in support of this measure from the Judiciary, Department of Human Services, and ACLU of Hawaii.

Your Committee received written comments on this measure from the Hawaii State Bar Association.

Your Committee finds that the increased rate of compensation and maximum allowable amounts per case will assist the Judiciary in recruiting and retaining qualified and experienced court-appointed counsel and guardians ad litem in family court proceedings, which will prevent unnecessary delays in family court cases.

Your Committee notes that this measure, as received by your Committee, appropriated \$1,500,000 for the increased rate of compensation provided in the bill.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$1,500,000 to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1913, 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. 1913, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (DeCoite, Kidani).

SCRep. 3714 Ways and Means on H.B. No. 2490

The purpose and intent of this measure is to change the statutory limits on certain capital advancement contracts.

More specifically, this measure:

- (1) Changes the total capital advancement contract value threshold that the Department of Transportation may execute without legislative approval;
- (2) Changes the limit on the total aggregate value of certain capital advancement contracts entered into by the Department of Transportation; and
- (3) Requires the Department of Transportation to submit an annual report to the Legislature.

Your Committee received written comments in support of this measure from the Department of Transportation; Hawaii Harbors Users Group; and Matson Navigation Company, Inc.

Your Committee finds that increasing the maximum limit on capital advancement contracts executed by the Department of Transportation will help the Department to more efficiently improve port facilities throughout 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. 2490, H.D. 2, 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. 3715 Ways and Means on H.B. No. 1936

The purpose and intent of this measure is to mandate that the Department of Transportation require the securing of mooring lines from vessels to commercial docks, wharves, piers, quays, and landings to be performed by labor that is subject to collective bargaining.

Your Committee received written comments in support of this measure from International Brotherhood of Electrical Workers Local Union 1186, International Longshore and Warehouse Union Local 142, and numerous individuals.

Your Committee received written comments in opposition to this measure from the Hawaii Shippers Council and Retail Merchants of Hawaii.

Your Committee received written comments on this measure from the Department of the Attorney General, Department of Transportation, and Public Utilities Commission.

Your Committee finds that requiring the securing of mooring lines from vessels to commercial docks, wharves, piers, quays, and landings to be performed by labor subject to collective bargaining will allow regulated intrastate shipping companies to use their current qualified staff to safely and more efficiently conduct their necessary mooring operations.

Your Committee has amended this measure by:

- (1) Clarifying that the collective bargaining requirements to be established in accordance with this measure exclude labor performed at certain locations, by certain entities, and involving certain activities;
- (2) Clarifying that this measure shall not be applied so as to impair the obligation of any contract in violation of the Constitution of the State of Hawaii or the United States Constitution;
- (3) Changing the effective date from July 1, 3000, to upon its approval; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1936, 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. 1936, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (DeCoite, Kidani).

SCRep. 3716 Ways and Means on H.B. No. 2376

The purpose and intent of this measure is to adjust funding for certain Department of Transportation projects pursuant to Act 164, Session Laws of Hawaii 2023.

Your Committee received written comments in support of this measure from the Department of Budget and Finance and Department of Transportation.

Your Committee finds that in prior years, the Legislature's budget acts contained a proviso that permitted departments to transfer funds between their respective programs. Your Committee notes, however, that Act 164, Session Laws of Hawaii 2023, does not contain this proviso. Your Committee recognizes that without this proviso, the Department of Transportation is unable to transfer funds between its programs to replace one of its two existing barrier transfer machines that provide high occupancy vehicle lanes during morning rush hour on Oahu. Accordingly, your Committee believes that transferring moneys between the Department of Transportation's programs will help the Department of Transportation to ensure the continued safe and efficient flow of morning traffic on Oahu.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2376, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2376, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (DeCoite, Kidani).

SCRep. 3717 Ways and Means on H.B. No. 1763

The purpose and intent of this measure is to address the shortage of affordable housing in the State.

More specifically, this measure:

- (1) Amends the priority for which moneys in the Rental Housing Revolving Fund are to be used; and
- (2) Requires the Hawaii Housing Finance and Development Corporation to prioritize the allocation of Rental Housing Revolving Fund moneys to certain housing projects.

Your Committee received written comments in support of this measure from the Department of Hawaiian Home Lands, Hawaii Public Housing Authority, Office of Hawaiian Affairs, AARP Hawaii, and Aloha United Way.

Your Committee received written comments in opposition to this measure from the Building Industry Association of Hawaii; Mark Development, Inc.; and Stanford Carr Development, LLC.

Your Committee received written comments on this measure from the Hawaii Housing Finance and Development Corporation, Catholic Charities Hawaii, King Lunalilo Trust, and one individual.

Your Committee finds that the State is facing a shortage of affordable housing. Your Committee also finds that the State's public housing inventory is aging and that many units are functionally obsolete. Your Committee further finds that the intent of this measure is to address the housing crisis by funding the development of additional affordable housing units.

Your Committee has amended this measure by:

- (1) Adding a definition for the term "project readiness";
- (2) Repealing the authorization to use Rental Housing Revolving Fund moneys to issue grants;
- (3) Clarifying the permitted uses of the Rental Housing Revolving Fund;
- (4) Clarifying that the Hawaii Housing Finance and Development Corporation shall not forgive any loan made from the Rental Housing Revolving Fund unless the Corporation forecloses on the project;
- (5) Requiring the Hawaii Housing Finance and Development Corporation to submit a report to the Legislature on plans to revolve funds back into the Rental Housing Revolving Fund to ensure its self-sufficiency; and
- (6) 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. 1763, 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. 1763, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (DeCoite, Kidani).

SCRep. 3718 Ways and Means on H.B. No. 2340

The purpose and intent of this measure is to appropriate moneys to satisfy claims against the State, its officers, and its employees.

Your Committee received written comments in support of this measure from the Department of the Attorney General, Department of Corrections and Rehabilitation, Department of Education, Department of Human Services, Department of Land and Natural Resources, and Department of Transportation.

Your Committee received written comments on this measure from the Department of Human Resources Development.

Your Committee finds that the State has a responsibility to promptly satisfy all claims against the State upon the resolution of those claims. Your Committee further finds that the 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) Making additional appropriations of:
 - (A) \$800,000.00 in general funds for the settlement in the case of Schweitzer v. State of Hawaii;
 - (B) \$1,000,000.00 in general funds for the settlement in the case of A.B. v. Department of Education;
 - (C) \$1,800,000.00 in general funds for the settlement in the case of C.K., J.M., and T.M. v. Department of Human Resources;
 - (D) \$35,961.64 out of the state highway fund for the settlement in the case of Allstate Insurance Company v. State of Hawaii Department of Transportation; and
 - (E) \$265.00 in general funds for a miscellaneous claim by Jessie J. McMorrow and Kevin B. McMorrow;
- (2) Amending the payment requirements for the settlement in the case of Courtney Ledford v. Ethan Ferguson, et al., by:
 - (A) Changing the amount appropriated to the Department of the Attorney General to satisfy the claim from \$750,000.00 to \$1,250,000.00; and
 - (B) Deleting the requirement that \$500,000.00 of the claim settlement be equally apportioned and paid from the available general funds appropriated by Act 164, Session Laws of Hawaii 2023, to the Department of Human Resources Development and Department of Land and Natural Resources;
- (3) Amending the payment requirements for the settlement in the case of Leinette Reyes, et al. v. Eric Tanaka, by:
 - (A) Changing the amount appropriated to the Department of the Attorney General for the settlement of the claim from \$1,200,000.00 to \$2,000,000.00; and
 - (B) Deleting the requirement that \$800,000.00 of the claim settlement be paid from the available general funds appropriated by Act 164, Session Laws of Hawaii 2023, to the Department of Public Safety/Corrections and Rehabilitation;
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (5) Making a technical nonsubstantive amendment for the purpose of consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2340, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2340, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Kidani).

SCRep. 3719 Judiciary on H.B. No. 2435

The purpose and intent of this measure is to authorize the Director of Health to permit synchronous online access to apply for marriage and civil union licenses in lieu of in-person applications, as specified in rules adopted by the Department of Health pursuant to chapter 91, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that an emergency order during the coronavirus disease 2019 pandemic allowed the Department of Health to authorize the issuance of licenses to marry via online access, exempting individuals from the normal statutory requirement of an in-person appointment. Your Committee believes that with the cessation of the emergency order, and a rebounding economy statewide, there is a need to ensure the Department of Health can process applications for licenses to marry in a timely manner. This measure will improve operational efficiency within the Department of Health while ensuring timely access to services.

Your Committee has amended this measure by:

- (1) Clarifying that persons applying for a license to marry are required to appear:
 - (A) In-person or by synchronous online access before an employee of the Department of Health authorized to issue licenses; or
 - (B) In-person before an agent authorized to grant marriage licenses and are required to file with the agent an application in writing, or remotely by synchronous online access before an agent and as authorized by the Department of Health in rules adopted pursuant to chapter 91, Hawaii Revised Statutes;
- (2) Inserting an effective date of April 14, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2435, 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. 2435, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3720 Judiciary on H.B. No. 2492

The purpose and intent of this measure is to amend existing law to meet new federal regulations for commercial driver's licenses when the Drug and Alcohol Clearinghouse prohibits a driver from operating a commercial vehicle due to drug and alcohol violations.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that the existing Hawaii statute is not in compliance with new federal requirements relating to the issuance, renewal, transfer, or upgrade of commercial driver's licenses and commercial learner's permits. Your Committee further finds that beginning on November 18, 2024, the Federal Motor Carrier Safety Administration will require all states to request information from the Drug and Alcohol Clearinghouse in order to issue, renew, or upgrade a commercial driver's license or commercial learner's permit. This measure will bring the State in compliance with the federal requirements by amending penalties regarding drug and alcohol violations.

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. 2492, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2492, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3721 Judiciary on H.B. No. 2354

The purpose and intent of this measure is to clarify that the Small Business Regulatory Review Board (Board) has the authority to review legislation affecting small businesses in response to requests from small business owners.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and two individuals.

Your Committee finds that it is important that the Board's purview is clearly understood by the small business community, state and county agencies, Hawaii business chambers, and trade organizations. This measure will clarify that the Board's scope of responsibilities includes reviewing legislation affecting small businesses in the State.

Your Committee has amended this measure by inserting an effective date of April 14, 2112, 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. 2354, 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. 2354, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3722 Judiciary on H.B. No. 2546

The purpose and intent of this measure is to:

- (1) Allow for the use of fine meshed nets for the protection of plants against invasive species; and
- (2) Require the Department of Agriculture to establish a registration program for purchasers of fine meshed nets in the State.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawai'i Farm Bureau, Hawai'i Farmers Union United, Waianae Coast Comprehensive Health Center, and four individuals.

Your Committee received comments on this measure from the Department of Land and Natural Resources and Department of Agriculture.

Your Committee finds that the coconut rhinoceros beetle is considered a major agricultural and environmental pest. Although coconut rhinoceros beetle is particularly damaging to coconut palms, they can also be found in banana, pineapple, betelnut, and sugarcane, among others. Your Committee further finds that fine mesh nets are an effective management and detection tool for the coconut rhinoceros beetle, particularly because they can exclude other medium to large pests and be used on individual plants. Your Committee finds that by authorizing the Department of Agriculture to establish a registration program for persons using fine meshed nets to protect plants against invasive species, this measure will help protect the State's vital agricultural industry and preserve the State's delicate natural ecosystems.

Your Committee has amended this measure by inserting an effective date of April 14, 2112, 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. 2546, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2546, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3723 Judiciary on H.B. No. 2315

The purpose and intent of this measure is to:

- (1) Specify the procedure for condominium association meetings conducted in person and electronically; and
- (2) Clarify the procedure for electronic meetings, electronic voting, and mail voting.

Your Committee received testimony in support of this measure from the Hawai'i State Association of Parliamentarians; Hawaiiiana Management Company, Ltd.; Palehua Townhouse AOA; AOA Lakeview Sands; Law Offices of Mark K. McKellar, LLC; and thirteen individuals.

Your Committee received comments on this measure from one individual.

Your Committee finds that the usage of electronic voting devices is an efficient, accurate, and auditable method for counting votes at condominium association meetings. Your Committee further finds that the integration of digital technology into condominium association governance promotes participation, streamlines processes, and can help minimize management costs. This measure will clarify certain laws relating to electronic meetings and voting, thereby contributing to the prudent expansion of digital technology in condominium association governance.

Your Committee has amended this measure by:

- (1) Inserting an effective date of April 14, 2112, 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. 2315, 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. 2315, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3724 Judiciary on H.B. No. 1923

The purpose and intent of this measure is to allow overnight camps in operation prior to January 1, 1961, to be regulated via the special permit process.

Your Committee received testimony in support of this measure from the Department of Agriculture; Office of Planning and Sustainable Development; Boy Scouts of America, Aloha Council; and Maui Chamber of Commerce.

Your Committee finds that in *Ho'omoana Foundation v. Land Use Commission*, 152 Haw. 337, 526 P.3d 314 (2023), the Hawaii Supreme Court held that the specific exclusion of overnight camps from permitted uses under section 205-4.5(a)(6), Hawaii Revised

Statutes, means that the public and private recreational use of overnight camps in agricultural districts is not permitted, even by special permit, overruling the Hawaii Supreme Court's decision in *Maha'uilepu v. Land Use Commission*, 71 Haw. 332, 790 P.2d 906 (1990). Your Committee further finds that there are two campgrounds with special permits expiring within the next two years on Maui and two camps on Oahu that may also be impacted by the ruling in *Ho'omoana Foundation*. As a result of *Ho'omoana Foundation*, these campgrounds would need to obtain a district boundary amendment to change the land use classification from agricultural to urban, which is an overly burdensome process as these campgrounds are in rural settings with no urban uses in the nearby vicinity. This measure codifies that overnight camps in operation before January 1, 1961, may be regulated via the special permit process.

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. 1923, 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. 1923, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3725 Judiciary on H.B. No. 2400

The purpose and intent of this measure is to:

- (1) Require a teacher to surrender their teaching license if the teacher resigns or retires during the pendency of any investigation into allegations of sexual assault, sexual harassment, or other physical abuse of a student; and
- (2) Require the surrender of the teacher's license to be reported to the National Association of State Directors of Teacher Education and Certification.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i Teacher Standards Board, and one individual.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that some teachers facing serious allegations, such as sexual assault or harassment of a student, exploit the existing system by resigning or retiring before they can be formally terminated after a completed investigation. Your Committee believes that it is imperative to address this critical issue within the State's education system. This measure will ensure that teachers who have resigned or retired in lieu of termination during the pendency of the investigation do not retain their teaching license.

Your Committee has amended this measure by:

- (1) Clarifying that teachers are required to forfeit, rather than surrender, their teaching license if the teacher resigns or retires during the pendency of any investigation into allegations of sexual assault, sexual harassment, or other physical abuse of a student;
- (2) Clarifying that the forfeiture of the teacher's license, rather than surrender of the license, must be reported to the National Association of State Directors of Teacher Education and Certification;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making it effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2400, 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. 2400, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3726 Judiciary on H.B. No. 2425

The purpose and intent of this measure is to:

- (1) Clarify that a confirmed report of child abuse or neglect, harm, or threatened harm will result in the perpetrator's name being maintained in the central registry; and
- (2) Clarify when a person's name may be expunged from the central registry and establish a process for expungement upon request.

Your Committee received testimony in support of this measure from the Department of the Attorney General and Department of Human Services.

Your Committee finds that protecting the State's keiki is of paramount importance. Presently, the central registry of individuals confirmed to be perpetrators of child abuse or neglect protects the community from certain dangerous individuals. However, inclusion in the central registry can have serious consequences, including limited employment or volunteer opportunities. Despite the severity of inclusion on the central registry, the processes of inclusion or removal are not widely known. Accordingly, this measure protects keiki statewide, ensures Department of Human Services' efficiency, and clarifies the process of being placed on or having one's name removed from the central registry.

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. 2425, 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. 2425, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3727 Judiciary on H.B. No. 2090

The purpose and intent of this measure is to:

- (1) Beginning January 1, 2025, allow residential uses in areas zoned for commercial use to be considered permitted under certain circumstances; and
- (2) Require, no later than January 1, 2025, each county to adopt or amend its ordinances to allow for adaptive reuse of existing commercial buildings in the county's building codes.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Office of Housing of the City and County of Honolulu, one member of the Kaua'i County Council, Housing Hawai'i's Future, Hawai'i Association of REALTORS, Building Owners and Managers Association Hawai'i, Hawaii Young Republicans, Grassroot Institute of Hawaii, Democratic Party of Hawai'i, Building Industry Association Hawaii, Maui Chamber of Commerce, Land Use Research Foundation of Hawaii, and six individuals.

Your Committee received testimony in opposition to this measure from Hawaii's Thousand Friends and two individuals.

Your Committee received comments on this measure from the Disability and Communication Access Board and American Institute of Architects Hawaii.

Your Committee finds that the aftermath of the coronavirus disease 2019 pandemic and trends in remote work have resulted in historically high vacancy rates and an underutilization of commercial space and office buildings. Your Committee believes that allowing the development of housing in commercial districts and encouraging the repurposing of older commercial buildings that are underutilized due to market conditions or functional obsolescence will expand the State's housing inventory while also creating more vibrant communities. This measure will increase the State's supply of housing by adapting commercial spaces for residential uses.

Your Committee has amended this measure by:

- (1) Making it effective on January 1, 2025; 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. 2090, 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. 2090, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3728 Judiciary on H.B. No. 2370

The purpose and intent of this measure is to clarify the requirements to establish a quorum to do business and validate acts of the Stadium Authority.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Stadium Authority.

Your Committee finds that the Stadium Authority has consistently struggled to establish quorum to conduct business or take official action due to the ambiguity of existing laws and vacancies on the Stadium Authority. This measure will clarify that a majority of the Stadium Authority's currently appointed voting members is required to do business to enhance public trust and promote a transparent and accountable decision-making process.

Your Committee has amended this measure by inserting an effective date of April 14, 2112, 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. 2370, 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. 2370, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3729 Commerce and Consumer Protection on H.B. No. 2393

The purpose and intent of this measure is to:

- (1) 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; and

- (2) Amend the external review process under the state Patients' Bill of Rights and Responsibilities Act, to be based on the National Association of Insurance Commissioners Uniform Health Carrier External Review Model Act.

Your Committee received testimony in support of this measure from the Insurance Division of the Department of Commerce and Consumer Affairs and Disability and Communication Access Board.

Your Committee finds that while Hawaii has some of the best breast cancer screening rates in the country, data still shows that many women in the State are not being regularly screened. Your Committee further finds that inadequate health care coverage for mammography services may cause some women with breast cancer symptoms to delay care for many months, which is detrimental as breast cancer has a greater chance of being successfully treated if detected early. Therefore, this measure increases the accessibility to mammograms and diagnostic breast cancer services for women in Hawaii by establishing certain minimum coverage standards for mammography services that are provided by health insurers, mutual benefit societies, and health maintenance organizations under current insurance mandates. Further, this measure updates the external review process under the state Patients' Bill of Rights and Responsibilities Act, by which an enrollee may review a health plan's decision to deny coverage for or payment of a medical service, based on the National Association of Insurance Commissioners Uniform Health Carrier External Review Model Act.

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. 2393, 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 (Awa).

SCRep. 3730 Commerce and Consumer Protection on H.B. No. 1577

The purpose and intent of this measure is to:

- (1) Change the fees that a towing company may charge to tow vehicles left unattended on private and public property;
- (2) Authorize a towing company or parking management company to charge a fee for the placement or removal of vehicle immobilization devices;
- (3) Require that a towing company that charges fees to tow vehicles left unattended on private and public property, or a towing company or parking management company that charges fees for the placement or removal of vehicle immobilization devices, to accept payment by the vehicle owner for charges by cash, credit card, and debit card and not direct an individual to use an on-site automated teller machine in lieu of accepting payment by credit card and debit card; and
- (4) Require a minimum period of twelve hours before the issuance of a violation or towing of a motor vehicle parked in a legal public stall, unless otherwise directed by law enforcement in the case of an emergency.

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 comments on this measure from the Department of the Attorney General.

Your Committee finds that in the near decade and a half since certain statutory tow rates for vehicles left unattended on private and public property were last amended by Act 269, Session Laws of Hawaii 2007, the cost of operating a business in the State has increased, including the costs of labor, fuel, insurance, and towing equipment. Your Committee further finds that the existing law governing the rates allowed per tow has not provided for the significant costs required to tow an overturned vehicle. Therefore, this measure will provide much needed assistance to the towing industry and ensure that the actual cost of a tow is reflected in the statutory rates allowed per tow.

Notwithstanding, your Committee has heard the concerns raised by the Department of the Attorney General that certain amendments made to this measure during the legislative process, if challenged, may not survive judicial scrutiny under article III, section 15, of the Hawaii State Constitution, as they appear to fall outside the scope of the original purposes of this measure as introduced, which is to authorize tow operators to charge an additional amount for overturned vehicles. 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:
 - (A) Changed the amount of maximum fees that towing companies may charge to tow vehicles left unattended on private and public property;
 - (B) Authorized companies engaged in towing or parking management to charge for parking control or the placement or removal of any device upon a vehicle designed to immobilize the vehicle under certain conditions and establish a maximum fee amount; and
 - (C) Required a minimum period of twelve hours to pass before a company engaged in towing or parking management may issue a fine and commence a tow of the motor vehicle for any violation occurring in a legal parking stall open to the public, unless directed by law enforcement in the event of an emergency;
- (2) Inserting language authorizing tow companies to charge additional reasonable amounts to tow vehicles left unattended on private and public property if the tow involves an overturned vehicle; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1577, 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. 1577, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3731 Commerce and Consumer Protection on H.B. No. 2070

The purpose and intent of this measure is to require cash or protest bonds paid or filed by parties initiating an administrative appeal for protests of solicitations or award of contracts under the Hawaii Public Procurement Code to be returned to the initiating parties, minus administrative costs as determined by the Office of Administrative Hearings of the Department of Commerce and Consumer Affairs, except in cases where the party does not prevail and the Office of Administrative Hearings finds that the appeal was frivolous or made in bad faith.

Your Committee received testimony in support of this measure from the Hawaii Operating Engineers Industry Stabilization Fund Political Action Committee; General Contractors Association of Hawaii; Ralph S. Inouye Co., Ltd.; Koga Engineering & Construction, Inc.; S & M Sakamoto, Inc.; Jas. W. Glover, Ltd.; Healy Tibbitts Builders, Inc.; Moss & Associates, LLC; and Albert C. Kobayashi, Inc.

Your Committee finds that the primary purpose of the Hawaii Public Procurement Code is to ensure fair and ethical procurement while maximizing the use of public funds, and provides a bid protestor with a reasonable opportunity to appeal. Your Committee also finds that under the existing Code, a party initiating an administrative appeal to protest certain solicitations or awards of contracts is required to pay a cash or protest bond in the amount of one percent of the estimated value of the contract to deter frivolous appeals. If the appealing party prevails, the cash or protest bond is returned to the initiating party; however, if the appealing party loses, the bond is forfeited in its entirety to the State's general fund. Your Committee finds that these requirements have a chilling effect, not just on frivolous appeals, but on all appeals, as the high cost and time-involvement of the appeals process coupled with the uncertainty of prevailing make it no longer fiscally prudent for many to initiate the process. Therefore, this measure addresses this issue while allowing the Office of Administrative Appeals to recover its administrative costs and continuing to deter frivolous appeals.

Your Committee has amended this measure by inserting an effective date of July 1, 2040, 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. 2070, 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. 2070, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3732 Judiciary on H.B. No. 2526

The purpose and intent of this measure is to:

- (1) Increase the penalty for a third or subsequent offense involving the unauthorized driving or operation of motor vehicles to a class C felony; and
- (2) Authorize the court, as part of the person's sentencing for the third or subsequent offense, to order that the vehicle used by the person in the commission of the offense be subject to forfeiture.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and two individuals.

Your Committee finds that in 2023, roughly twenty percent of all traffic fatalities in the State involved an unlicensed driver. Your Committee further finds that recent high-profile fatal incidents have emphasized the need to reexamine the State's laws that regulate unlicensed drivers due to existing provisions that allow a person to be convicted of driving without a valid license again and again while facing nothing more than a misdemeanor. Therefore, this measure serves to continue the State's efforts to deter and prevent unlicensed individuals from getting behind the wheel and to increase the public safety of both drivers and pedestrians.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2526, H.D. 2, 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. 3733 Judiciary on H.B. No. 2444

The purpose and intent of this measure is to temporarily authorize the Department of Health to conduct criminal history record checks of applicants for permits to operate as a hemp processor.

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, to become a licensed hemp processor in the State, an applicant must satisfy a criminal background check requirement. Prospective applicants may satisfy criminal background checks through a fingerprint and criminal background check conducted by the Department of Health. However, existing powers of the Department of Health do not provide them with the authority to conduct criminal history record checks on consenting hemp processor applicants. Accordingly, this measure clarifies existing procedures to effectuate the legislative intent of Act 263, Session Laws of Hawaii 2023, while ensuring timely processing of hemp processor permits.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2444, 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 (Awa).

SCRep. 3734 Judiciary on H.B. No. 2343

The purpose and intent of this measure is to authorize the Director of Labor and Industrial Relations to file certified copies of final orders of wage payment violations in any court of competent jurisdiction to expedite enforcement and serve the public policy of ensuring that employees are paid in accordance with their employers' legal obligations.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Labor and Industrial Relations, and Hawaii Operating Engineers Industry Stabilization Fund Political Action Committee.

Your Committee finds that the current method of enforcing and collecting on final orders of wage payment violations exclusively in circuit court is inefficient and results in delayed payments to employees who are entitled to reimbursement from employers who violated wage payment laws. Your Committee further finds that expanding section 388-9.7, Hawaii Revised Statutes, to allow enforcement proceedings to be brought in district court will improve the efficiency of the enforcement process. This measure will therefore expedite the enforcement of wage payment violations by allowing proceedings to be brought in district courts due to their more expeditious processes and procedures.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2343, H.D. 1, 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. 3735 Judiciary on H.B. No. 1642

The purpose and intent of this measure is to allow an employee or the exclusive representative, if applicable, to file a complaint with the Hawaii Labor Relations Board if the employer fails to comply with section 78-64, Hawaii Revised Statutes, relating to general employee orientation.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee finds that some employers fail to comply with existing law that requires an employer to provide newly hired employees with a general orientation on their benefits and rights within twenty calendar days of being hired. As a result, the exclusive representative who represents the employees is often left to identify a new employee's worksite and inquire about their work schedule in order to provide them with information about their rights as a public employee. Your Committee further finds that there is no penalty if an employer does not meet this requirement. This measure will ensure that newly hired employees are not denied important employment information and that employers are held accountable to existing statutory 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. 1642, 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 (Awa).

SCRep. 3736 Judiciary on H.B. No. 2478

The purpose and intent of this measure is to:

- (1) Authorize the Governor to execute a compact on behalf of the State to cooperate in the Pacific States Marine Fisheries Commission (PSMFC); and
- (2) Establish procedures for selection and succession of commissioners.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the PSMFC is an interstate compact agency that provides a forum to discuss interstate fisheries resources management; coordinates research and management projects related to interstate fisheries and makes this data available to the public; and disperses federal fishery disaster funds. According to testimony received by your Committee, membership to the PSMFC would not only facilitate improved management of state and regional marine fishery resources, but also increase access to other fisheries' scientists and managers with expertise in matters that the State currently lacks and potentially open avenues for federal funding to enhance the management of Hawaii-based fishery projects. This measure will provide greater resources for the State's natural resource management agencies and its fishing industry to sustainably manage its aquatic resources.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2478, 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 (Awa).

SCRep. 3737 Judiciary on H.B. No. 2475

The purpose and intent of this measure is to, for purposes of regulating commercial ocean recreational activity:

- (1) Provide that advertisements and offers of unpermitted commercial ocean use activities or commercial ocean recreational equipment are prima facie evidence that:
 - (A) The owner of the advertised or offered commercial activity disseminated or directed dissemination of the advertisements or offers; and
 - (B) The commercial activity is operated at the location advertised or offered;
- (2) Establish that a person charged with a violation of commercial activity restrictions bears the burden of proof that the person is not conducting illegal commercial activity or is otherwise authorized by the Department of Land and Natural Resources to conduct the activity; and
- (3) Include advertisements and offers within the definition of “commercial activity”.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Maui Chamber of Commerce.

Your Committee finds that the rapid expansion of unpermitted commercial ocean recreational activity in the State has led to an overuse of boating facilities, strain on natural resources, and conflicts between recreational and commercial ocean users. Your Committee recognizes that providing better ocean recreation management and enforcement tools helps to ensure the protection of the State’s natural resources. This measure will help reduce the over-commercialization of ocean resources and allow the public greater recreational enjoyment of state ocean waters by providing the Department of Land and Natural Resources with more clarity for enforcing commercial ocean activity restrictions.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2475, H.D. 2, 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. 3738 (Joint) Ways and Means and Judiciary on H.B. No. 2453

The purpose and intent of this measure is to facilitate the timely disbursement of certain federal grant moneys.

More specifically, this measure authorizes the Governor, or a state official with authorization from the Governor, to transfer federal capitalization grant moneys between the Water Pollution Control Revolving Fund and the Drinking Water Treatment Revolving Loan Fund.

Your Committees received written comments in support of this measure from the Department of Health, Ulupono Initiative, and three individuals.

Your Committees find that the United States Environmental Protection Agency oversees the State’s implementation of the Water Pollution Control Revolving Fund and the Drinking Water Treatment Revolving Loan Fund programs and may withhold or delay future capitalization grants if those programs struggle to expeditiously disburse grant moneys. Your Committees further find that the ability to move moneys between the two funds will help facilitate timely disbursement of grants.

Your Committees have amended this measure by:

- (1) Clarifying the conditions applicable to transfers of moneys between the Water Pollution Control Revolving Fund and the Drinking Water Treatment Revolving Loan Fund;
- (2) Requiring the Department of Health to submit a report to the Legislature on transfers between the Water Pollution Control Revolving Fund and the Drinking Water Treatment Revolving Loan Fund prior to the Regular Session of 2025; and
- (3) Changing the effective date to July 1, 2024.

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. 2453, 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. 2453, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.
Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Kanuha, Shimabukuro).
Judiciary: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3739 (Joint) Ways and Means and Judiciary on H.B. No. 2700

The purpose and intent of this measure is to protect residents from future wildfires in the State.

Specifically, this measure:

- (1) Establishes the Hawaii Wildfire Relief Corporation and the Hawaii wildfire relief fund to provide compensation for property damage resulting from catastrophic wildfires in the State;
- (2) Creates a process for electric utilities to develop and submit wildfire protection plans to the Public Utilities Commission for approval; and
- (3) Authorizes electric utilities to recover the costs and expenses of developing, implementing, and administering the wildfire protection plans while avoiding a disproportionate impact on a specific ratepayer or counties.

Your Committees received written comments in support of this measure from Clearway Energy Group; Ulupono Initiative; International Brotherhood of Electrical Workers, Local Union 1260; Hawaii Farm Bureau; Retail Merchants of Hawaii; Kapolei Chamber of Commerce; Plus Power; Hawaiian Electric; Hawaii Cattlemen's Council; Maui Chamber of Commerce; and more than sixty individuals.

Your Committees received written comments in opposition to this measure from the Kauai Island Utility Cooperative, State Farm, and Hawaii Association for Justice.

Your Committees received written comments on this measure from the Office of the Governor; Attorney General; Department of Commerce and Consumer Affairs, Division of Consumer Advocacy; Public Utilities Commission; Tax Foundation of Hawaii; and Hawaiian Telcom.

Your Committees find that the cost of protracted litigation regarding wildfire damages can impose massive costs on the State, counties, utilities, landowners, and other defendants that may be alleged to have contributed to catastrophic wildfires. Those costs may overwhelm the major institutions in the community, undermining their ability to make investments that the State needs. Accordingly, your Committees find that it is in the public interest to avoid the costs of litigation arising out of catastrophic wildfires in order to protect Hawaii's economy and encourage investment in the State.

Your Committees acknowledge that the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy, has requested that the measure be amended to prohibit a public utility from increasing rates in order to fund contributions to the wildfire relief fund and pay financing costs related to bonds for the issuance of wildfire protection. Your Committees also acknowledge the testimony of the Public Utilities Commission regarding deadlines for the Commission to issue decisions, and how establishing deadlines based upon the last filing, rather than the initial application, will help to ensure that the Commission can develop a sound docket once the docket record is properly developed.

Your Committees further note that provisions added by part II of the measure are intended to apply to electric utility cooperative associations.

Your Committees have amended this measure by:

- (1) Adding definitions for "operation date" and "wildfire relief fund";
- (2) Clarifying that, for the purpose of making a determination of whether insufficient funding exists for the wildfire relief fund, the fund administration shall determine whether the fund will fail to be fully capitalized by the fifth year of operation after the operation date;
- (3) Clarifying that the remaining amount of the supplemental contribution to the wildfire relief fund, but not more than the largest contribution by other contributors, shall be paid by the State, subject to legislative appropriation;
- (4) Clarifying that the fund administrator may permit annual supplemental contributions to the wildfire relief fund instead of a single upfront contribution, subject to the payment of interest;
- (5) Authorizing, under certain circumstances, recovery of an investor-owned utility's contributions to the wildfire relief fund via a securitization transaction;
- (6) Capping the State's loan to the wildfire relief fund following a depletion event;
- (7) Clarifying the terms and time frames for contributor payments to the wildfire relief fund;
- (8) Specifying that eligibility and compensation for property owners from the wildfire relief fund shall be limited to uninsured real or personal property damage;
- (9) Clarifying the time frame in which the fund administrator may declare a depletion event, and specifying that the depletion percentage shall be based on the financial capacity of the wildfire relief fund;
- (10) Clarifying the rights of property owners or property insurers to seek payments from the wildfire relief fund if a fund depletion event occurs, and establishing a three-year period to true up damages incurred;
- (11) Clarifying policyholder rights and the rights of property insurers to subrogation;
- (12) Exempting electric utility cooperative associations from the wildfire relief fund established by Part I of the measure;
- (13) Clarifying how the Public Utilities Commission shall determine whether a wildfire mitigation plan is reasonable;
- (14) Specifying that electric utility cooperative associations shall recover the costs of a wildfire protection plan through a dedicated, discrete tariff rider;
- (15) Establishing penalties for electric utilities that do not comply with an approved wildfire protection plan;
- (16) Requiring that if an electric utility applies for financing through the Public Utilities Commission to recover any wildfire protection costs, the electric utility shall show net savings to consumers and lower rates compared to traditional financing options;
- (17) Authorizing an electric utility to sell, transfer, assign, or pledge property to a government entity for purposes of lower financing costs through government-issued recovery bonds;
- (18) Capping the total securitization surcharge at five percent of the average residential customer's bill;
- (19) Clarifying that the issuance of a financing order does not constitute a general obligation of the State or any of its political subdivisions;

- (20) Authorizing an electric utility to sell, assign, or pledge its interest in wildfire protection property for purposes of improved financing; and
- (21) 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. 2700, 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. 2700, H.D. 3, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Kanuha, Shimabukuro).

Judiciary: Ayes, 5. Noes, none. Excused, none.

SCRep. 3740 (Joint) Judiciary and Commerce and Consumer Protection on H.B. No. 1539

The purpose and intent of this measure is to:

- (1) Increase fines for violations of certain traffic laws and required motor vehicle insurance minimums;
- (2) Establish minimum and maximum sentences for persons convicted of violations of certain traffic laws;
- (3) Amend the minimum liability coverage thresholds to unspecified amounts;
- (4) Establish a separate prohibition on driving motor vehicles having noisy mufflers on public highways in high-density areas;
- (5) Establish separate fines for violations of motor scooter and motor vehicle muffler regulations;
- (6) Define “high-density areas”; and
- (7) Establish fines for placing any device upon a vehicle designed to immobilize the vehicle without consent of the owner of the vehicle.

Your Committees received testimony in support of this measure from the Hawaii Association for Justice; Niwao & Roberts, Certified Public Accountants, A Professional Corporation; and seven individuals.

Your Committees received testimony in opposition to this measure from the American Property Casualty Insurance Association, Hertz, and State Farm Mutual Automobile Insurance Company.

Your Committees received comments on this measure from the Department of the Attorney General, Insurance Division of the Department of Commerce and Consumer Affairs, Hawaii Insurers Council, Turo Inc., and three individuals.

Your Committees find that there is an increase in traffic violations and fatalities by repeat offenders, repeated violations of the State’s minimum motor vehicle insurance policy requirements, and noise pollution and disturbances from low restriction mufflers on motor vehicles. Your Committees further find that it is necessary to mitigate these impacts on the State’s residents. This measure will increase fines and amend terms for violations of certain traffic laws to improve safety on the State’s streets and better protect the State’s residents.

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 Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1539, 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. 1539, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 3; Ayes with Reservations (Elefante). Noes, none. Excused, 2 (San Buenaventura, Awa).

Commerce and Consumer Protection: Ayes, 3; Ayes with Reservations (Fukunaga). Noes, none. Excused, 2 (McKelvey, Awa).

SCRep. 3741 (Joint) Commerce and Consumer Protection and Judiciary on H.B. No. 2415

The purpose and intent of this measure is to:

- (1) Authorize the Governor to enter the State into the multistate Nurse Licensure Compact, which will allow a nurse who is licensed by a home state to practice under a multistate licensure privilege in each party state;
- (2) Beginning July 1, 2026, require individuals that hold a multistate nurse license issued by another state employed by a health care facility to annually complete demographic data surveys; and
- (3) Authorize the State Board of Nursing to charge different fees customarily and historically charged for registered nurses and licensed practical nurses who hold a multistate license issued by the State.

Your Committees received testimony in support of this measure from the United States Department of Defense, Department of Corrections and Rehabilitation, Department of Commerce and Consumer Affairs, Department of Labor and Industrial Relations, Hawai‘i State Center for Nursing, Disability and Communication Access Board, Hawai‘i Primary Care Association, Healthcare Association of Hawaii, Palolo Chinese Home, Hawaii Military Affairs Council, The Queen’s Health System, Kaiser Permanente, Hawaii Young Republicans, Hawai‘i Pacific Health, Hawaii Medical Service Association, Adventist Health Castle, Hawai‘i Care Choices, Grassroot Institute of Hawaii, Hawaii Association of Health Plans, and four individuals.

Your Committees received testimony in opposition to this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, Pride at Work-Hawai'i, Hawai'i Association of Professional Nurses, Hawai'i American Nurses Association, Hawai'i Nurses Association-OPEIU Local 50, Hawaii State AFL-CIO, United Nurses Associations of California/Union of Health Care Professionals, Hawai'i Nurses and Health Practitioners, and IATSE Local 665.

Your Committees received comments on this measure from the Board of Nursing, Hawaii Health Systems Corporation, and Hawaii Association for Justice.

Your Committees find that as the State continues to face a severe shortage of health care workers, which includes an acute shortage of registered nurses and licensed practical nurses, new solutions must be considered to help ensure that Hawaii residents can continue to obtain quality health care. Your Committees find that one potential solution is for the State to enter the multistate Nurse Licensure Compact presently adopted by forty-one states, which would allow nurses who are licensed by a home state to practice under a multistate licensing privilege in states that are a party to the compact. Your Committees find that by entering into the multistate Nurse Licensure Compact, the State can expand the pool of potential qualified nurses that are eligible to work in Hawaii, alleviate the nursing shortage and the associated burdens placed on existing nursing staff, and provide for the health and well-being of Hawaii's people.

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 H.B. No. 2415, 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. 2415, H.D. 2, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4; Ayes with Reservations (McKelvey, Richards). Noes, none. Excused, 1 (Awa).

Judiciary: Ayes, 3; Ayes with Reservations (Elefante). Noes, none. Excused, 2 (San Buenaventura, Awa).

SCRep. 3742 Judiciary on H.B. No. 2553

The purpose and intent of this measure is to:

- (1) Authorize pharmacists to administer vaccines to persons three years of age or older;
- (2) Authorize pharmacy interns and pharmacy technicians under the direct supervision of a pharmacist to administer vaccinations to persons between the ages of three and seventeen, if certain requirements are met; and
- (3) Authorize pharmacists to order vaccines for administration to persons between the ages of three and seventeen.

Your Committee received testimony in support of this measure from the Department of Health; University of Hawai'i at Hilo; Disability and Communication Access Board; Board of Pharmacy; CVS Health; Retail Merchants of Hawaii; Times Pharmacy; Moloka'i Drugs, Inc.; American Pharmacists Association; Hawaii Pharmacists Association; National Community Pharmacists Association; Walgreen Co.; and sixteen individuals.

Your Committee finds that during the coronavirus disease 2019 pandemic, certain temporary amendments were made to the federal Public Readiness and Emergency Preparedness Act to authorize pharmacists and certain pharmacy personnel to act beyond the limited scope of existing state law to order and administer a number of vaccines to children between the ages of three to seventeen, including routinely recommended childhood vaccinations. This temporary authority greatly helped minimize interruptions to patient access to necessary, routine, and recommended vaccination services. Your Committee finds that it is in the public interest for the State to codify in state law the temporary federal amendments before they end on December 31, 2024, and therefore, this measure permanently expands the role of licensed pharmacists and certain pharmacy personnel to administer vaccines to their communities and makes it easier for families to protect their children against influenza and other highly contagious diseases.

Your Committee has amended this measure by:

- (1) Clarifying that pharmacists are authorized to administer vaccines to persons three years of age or older, not only persons between the ages of three and seventeen;
- (2) Clarifying that pharmacy interns and pharmacy technicians under the direct supervision of a pharmacist are authorized to administer vaccinations to persons three years of age or older, not only persons between the ages of three and seventeen;
- (3) Clarifying that pharmacists are authorized to order vaccines for administration to persons three years of age or older, not only persons between the ages of three and seventeen;
- (4) Requiring only pharmacy technicians, not pharmacy interns, to have a Certified Pharmacy Technician certification from either the Pharmacy Technician Certification Board or National Healthcareer Association to be authorized to administer a vaccine to a person three years of age or older;
- (5) Amending section 1 to reflect its amended purpose; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2553, 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. 2553, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3743 Judiciary on H.B. No. 2446

The purpose and intent of this measure is to:

- (1) Authorize the Examiner of Drivers to suspend the driver's license of a person who violates certain regulations relating to the use of disability parking permits;
- (2) Authorize each county to enact ordinances to enforce the design and construction requirements for the provision of accessible parking spaces, including the establishment of penalties for failure to comply with the ordinances;
- (3) Authorize officials appointed by a county to enter the property of places of public accommodation to enforce violations of the county ordinances; and
- (4) Require the court to distribute fifty percent of any fine imposed on a person who violates certain regulations for the use of disability parking permits to the law enforcement agency that issued the citation.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Disability and Communication Access Board, one member of the Kaua'i County Council, Retail Merchants of Hawaii, and six individuals.

Your Committee finds that parking spaces for individuals with mobility disabilities provide greater accessibility to various establishments statewide. However, improper usage of disability parking placards may prevent qualified individuals from traveling to and accessing various facilities, creating additional mobility challenges. Therefore, this measure ensures appropriate usage of disability parking placards and enforcement to promote accessibility for all individuals.

Your Committee has amended this measure by inserting an effective date of April 14, 2112, 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. 2446, 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. 2446, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3744 Judiciary on H.B. No. 2582

The purpose and intent of this measure is to exclude critical infrastructure information from disclosure requirements under the Uniform Information Practices Act.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Honolulu Board of Water Supply, and Hawaiian Electric.

Your Committee received testimony in opposition to this measure from the Public First Law Center and thirty individuals.

Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that critical infrastructure are assets, systems, and networks that provide necessary functions for residents of the State and comprise sixteen federally designated critical infrastructure sectors, including energy, emergency services, water, health care, and others, that are part of a complex, interconnected ecosystem. Your Committee further finds that it is imperative to establish protections for critical infrastructure information that is created, received, or maintained by government agencies, as any threat to critical infrastructure sectors could have potentially debilitating consequences to national security, the economy, and public health and safety. To safeguard the State's critical infrastructure sectors and ensure public health and safety, this measure exempts critical infrastructure information from public disclosure under the Uniform Information Practices Act.

Your Committee has amended this measure by:

- (1) Inserting an effective date of April 14, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2582, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2582, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4; Ayes with Reservations (San Buenaventura). Noes, none. Excused, 1 (Awa).

SCRep. 3745 Judiciary on H.B. No. 2483

The purpose and intent of this measure is to authorize the Department of Corrections and Rehabilitation to search criminal histories and fingerprint records of current and prospective volunteers and contracted and subcontracted service providers and their employees who are directly involved in providing correctional programs, treatment, and services to persons committed to a correctional facility or who are placed in close proximity to persons committed when providing services on behalf of the Department or the correctional facility.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation.

Your Committee finds that in 2022, the Hawaii Criminal Justice Data Center notified the Department of Corrections and Rehabilitation that the Department has no legal authority to conduct background checks. However, the Department of Corrections and Rehabilitation's Corrections Programs and Services Division (CPSD) is responsible for vetting and training volunteers and service providers that provide programs and services to the offender population at correctional facilities statewide. The inability to conduct

background checks has negatively impacted CPSD's ability to provide programs and services that are imperative to an offender's success in rehabilitation and eventual reentry into the community. This measure will ensure that correctional programs and services are staffed with qualified individuals and volunteers by allowing the Department of Corrections and Rehabilitation to properly vet and conduct background checks on potential volunteers and contractors.

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. 2483, 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. 2483, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3746 Judiciary on H.B. No. 2352

The purpose and intent of this measure is to:

- (1) Exempt the administrator of the Law Enforcement Standards Board from civil service laws; and
- (2) Clarify membership and certain powers and duties of the Law Enforcement Standards Board and establish new deadlines for the completion of Board responsibilities.

Your Committee received testimony in support of this measure from the Department of the Attorney General and Department of Law Enforcement.

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 ACLU of Hawai'i.

Your Committee finds that the Law Enforcement Standards Board was established by section 139-2, Hawaii Revised Statutes, for the certification of law enforcement officers, including county police officers and officers of the Departments of Law Enforcement, Land and Natural Resources, Taxation, and Attorney General. Your Committee further finds that the Law Enforcement Standards Board must consult and cooperate with the counties, state agencies, other governmental agencies, universities and colleges, and other institutions concerning the development of law enforcement officer training schools and programs. This measure will provide the Law Enforcement Standards Board with more time and resources to accomplish its mission.

Your Committee has amended this measure by:

- (1) Inserting language adding to the membership of the Law Enforcement Standards Board a member selected by the union representing police officers in the State who shall serve for a term of four years;
- (2) Making it effective upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2352, 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. 2352, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3747 Judiciary on H.B. No. 2458

The purpose and intent of this measure is to:

- (1) Require the Director of Law Enforcement to investigate alleged violations of the law when directed to do so by the Governor or when the Director determines that an investigation would be in the public interest; and
- (2) Authorize the Director of Law Enforcement to issue subpoenas as part of the investigative powers of the Department of Law Enforcement.

Your Committee received testimony in support of this measure from the Department of Law Enforcement.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that, presently, the Director of Law Enforcement has subpoena powers to conduct investigations under the Uniform Controlled Substances Act. However, the Director of Law Enforcement's subpoena powers are not extended to other criminal law enforcement investigations, or to civil or administrative investigations, that the Department of Law Enforcement may conduct. Your Committee notes that the extension of these subpoena powers are necessary for the Department of Law Enforcement to enforce state laws and conduct thorough investigations. This measure will allow the Department of Law Enforcement to fulfill its statutory mandate to reduce crime and increase the safety and security of the public by clarifying that the Director of Law Enforcement has authority to issue subpoenas as part of the investigative powers of the Department of Law Enforcement.

Your Committee has amended this measure by:

- (1) Inserting an effective date of April 14, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2458, 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. 2458, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3748 Judiciary on H.B. No. 1598

The purpose and intent of this measure is to:

- (1) Require boards to make available for public inspection board packets, if created, at the time the board packet is distributed to board members but no later than two business days before the board meeting;
- (2) Carve out an exception by allowing public testimony to be distributed to board members before the board meeting;
- (3) Require boards to include in the notice to persons requesting notification of meetings, a list of the documents that were compiled by the board and distributed to board members before a board meeting for use at the meeting; and
- (4) Require boards to post board packets on its website.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, League of Women Voters of Hawaii, Public First Law Center, and one individual.

Your Committee received testimony in opposition to this measure from the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs.

Your Committee received comments on this measure from the Department of Human Services, Office of Information Practices, and Hawai'i State Commission on Fatherhood.

Your Committee finds that existing law sets a deadline to distribute board packets to board members and to the public forty-eight hours prior to the meeting. However, the current forty-eight hour deadline often falls on a weekend or holiday when staff is unavailable. This measure will avoid this situation and provide a more effective process by calculating the deadline by business days.

Your Committee has amended this measure by:

- (1) Clarifying that as soon as practicable, a board must accommodate requests for electronic access to the board packet and post the board packet on its website;
- (2) Making it effective upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1598, 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. 1598, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3749 Judiciary on H.B. No. 1527

The purpose and intent of this measure is to:

- (1) Prohibit animal owners and their employees from performing any surgical procedures on a pet animal;
- (2) Provide that a violation of the prohibition is a class C felony;
- (3) Clarify that the offense of cruelty to animals in the first degree does not apply to accepted veterinary practices when the practices are performed by a licensed veterinarian; and
- (4) Repeal the exemption of cropping and docking as customarily practiced under the offense of cruelty to animals in the first degree.

Your Committee received testimony in support of this measure from Animal Rights Hawai'i, Hawaiian Humane Society, Animal Interfaith Alliance, Kaua'i Humane Society, Animal Welfare Institute, Hawaii Veterinary Medical Association, and twenty individuals.

Your Committee received testimony in opposition to this measure from Ponoholo Ranch Limited, Haleakala Ranch Company, Palika Ranch Family Limited Partnership, Kapapala Ranch, Parker Ranch, McCandless Land and Cattle Co. LLC, and ten individuals.

Your Committee received comments on this measure from the Department of Agriculture; Hawaii Board of Veterinary Medicine; and Hawaii Cattleman's Council, Inc.

Your Committee finds that existing law exempts non-veterinarians from performing painful surgical procedures on animals. Non-veterinarians often perform these procedures without access to pain medication, antibiotics to prevent infection, and other critical pre- and post-operative care that can only be provided under the supervision of a licensed veterinarian. This measure will reduce unnecessary pain, harm, and suffering to pet animals by closing the loophole allowing owners to operate on or hire unqualified people to operate on their own pet animals.

Your Committee notes that the penalties for unlicensed persons performing surgical procedures on a pet animal only apply to “pet animals” and therefore by definition do not apply to livestock.

Your Committee has amended this measure by:

- (1) Clarifying that a person who engages in the practice of veterinary medicine or offers to practice without having a valid unrevoked license obtained from the Hawaii Board of Veterinary medicine is guilty of a misdemeanor and subject to a fine not to exceed \$1,000;
- (2) Making it effective upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1527, 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. 1527, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Awa).

SCRep. 3750 Judiciary on H.B. No. 2481

The purpose and intent of this measure is to repeal chapter 503B, Hawaii Revised Statutes, which governs the Time Share Commissioners of Deeds.

Your Committee received testimony in support of this measure from the Office of the Lieutenant Governor.

Your Committee finds that, to increase the efficiency and convenience for foreign buyers to purchase local time share properties and boost the State’s tourism industry, Act 277, Session Laws of Hawaii 2013, codified as chapter 503B, Hawaii Revised Statutes, authorizes the Lieutenant Governor to appoint time share commissioners of deeds to administer oaths and take acknowledgments, proofs of deeds, and other foreign instruments in connection with the execution of conveyance documents relating to time share properties in the State. According to testimony received by your Committee, there are no discernable records of any Lieutenant Governor appointing any commissioners of deeds or the adoption of any administrative rules pursuant to chapter 503B, Hawaii Revised Statutes. Your Committee additionally finds that Act 54, Session Laws of Hawaii 2020, updated and conformed state law regarding notaries public and current notary practices to address notarial acts performed for remotely located individuals, including foreign buyers of local time share properties. This measure therefore eliminates any statutory redundancy regarding the ability of foreign buyers to execute certain documents to purchase time share properties in the State.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2481, 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 (Awa).

SCRep. 3751 Ways and Means on H.B. No. 1686

The purpose and intent of this measure is to require that the authorized benefit for chiropractic treatments allowed under personal injury protection benefits provided through motor vehicle insurance be tied to the charges, and any subsequent increases in charges, that are permissible under the workers’ compensation supplemental medical fee schedule.

Your Committee received written comments in support of this measure from Aloha Family Chiropractic; Dr. Jill Dawrs Family Chiropractic Clinic; Hawaii State Chiropractic Association; Piianaia Ohana Chiropractic, Inc.; Tanaka and Associates Chiropractic & Massage; Turning Point Chiropractic, and numerous individuals.

Your Committee received written comments on this measure from the Department of Commerce and Consumer Affairs and Hawaii Insurers Council.

Your Committee finds that the changes to the authorized insurance benefits for chiropractic treatments in this measure will modernize the reimbursement structure for chiropractic care and will increase access to health care for Hawaii’s people.

As affirmed by the record of votes of the members 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. 1686, H.D. 1, 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. 3752 Ways and Means on H.B. No. 1974

The purpose and intent of this measure is to increase, from \$50 to \$75, the state-provided needs allowance for individuals living in various long-term care homes or facilities.

Your Committee received written comments in support of this measure from the Disability and Communication Access Board, State Council on Developmental Disabilities, Executive Office on Aging, AARP Hawaii, Aloha United Way, ILWU - Local 1000/Sebastian’s Arch LLC, and two individuals.

Your Committee finds that the needs allowance has not been increased since 2007 and that increasing the amount is essential to compensate for the rising cost of goods 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. 1974, H.D. 1, 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. 3753 Ways and Means on H.B. No. 1624

The purpose and intent of this measure is to require certain insurers, mutual benefit societies, and health maintenance organizations to provide coverage for standard fertility preservation services for persons who may undergo a medically necessary treatment that may cause iatrogenic infertility.

Your Committee received written comments in support of this measure from the Alliance for Fertility Preservation, American Cancer Society Cancer Action Network, Association for Clinical Oncology, Fertility Institute of Hawaii, Hawaii Society of Clinical Oncology, The Leukemia & Lymphoma Society, and three individuals.

Your Committee received written comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that many medical treatments, including chemotherapy and radiation, may cause infertility in both men and women. Your Committee further finds that requiring insurance coverage for standard fertility preservation services for individuals undergoing these medical treatments will help to ensure that the medical treatments do not interfere with each affected individual's ability to have children.

As affirmed by the record of votes of the members 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. 1624, H.D. 1, 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. 3754 Ways and Means on H.B. No. 2805

The purpose and intent of this measure is to appropriate an unspecified amount of money to the University of Hawaii Economic Research Organization to conduct a multiethnic cohort study and develop and maintain a registry regarding the health effects of the August 2023 Maui wildfires.

Your Committee received written comments in support of this measure from the Department of Health; Department of Human Services, State of Hawaii; University of Hawaii; 'Ahahui o na Kauka: Association of Native Hawaiian Physicians; American Cancer Society Cancer Action Network; American Lung Association in Hawaii; Hawaii Community Foundation; Hawai'i Health C.A.R.E. Hui; Hawaii Medical Association (HMA); Hawaii Public Health Association; Hawaii Psychological Association; Hispanic Chamber of Commerce Hawaii; Hawaii Medical Services Association (HMSA); Roots Reborn; Tagnawa for Maui; and numerous individuals.

Your Committee finds that the funding for a multiethnic cohort study and establishment of a registry in this measure will provide invaluable information to the State, local organizations, and policymakers regarding the full impacts of the Maui wildfires.

Your Committee notes that in its written comments, the University of Hawaii Economic Research Organization has requested the following appropriation amounts for this measure:

- (1) \$1,500,000 for the multiethnic cohort study; and
- (2) \$835,000 for the establishment of a registry.

As affirmed by the record of votes of the members 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. 2805, 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 (Kidani, Fevella).

SCRep. 3755 Ways and Means on H.B. No. 2715

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 FFA, Hui O Hoohonua, and numerous 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.

As affirmed by the record of votes of the members 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. 2715, H.D. 1, 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. 3756 Ways and Means on H.B. No. 2641

The purpose and intent of this measure is to reestablish the appraisal management company registration program within the Department of Commerce and Consumer Affairs.

More specifically, this measure:

- (1) Codifies as a new chapter the provisions of the repealed chapter 466L, Hawaii Revised Statutes;
- (2) Clarifies the repeal of chapter 466L, Hawaii Revised Statutes;
- (3) Authorizes the Department of Commerce and Consumer Protection to employ certain personnel without regard to chapter 76, Hawaii Revised Statutes; and
- (4) Appropriates moneys out of the compliance resolution fund to implement the appraisal management company registration program.

Your Committee received written comments in support of this measure from Hawaii Bankers Association, Hawaii Financial Services Association, Hawaii REALTORS, Mortgage Bankers Association of Hawaii, Real Estate Valuation Advocacy Association, and one individual.

Your Committee received written comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that pursuant to section 26H-4, Hawaii Revised Statutes, the appraisal management company registration program was repealed on June 30, 2023. Your Committee notes that without an active appraisal management company registration program in the State, lenders that serve Hawaii mortgage consumers are no longer able to use appraisal management companies to perform federally related transactions in the State, adversely impacting home affordability and ownership in the State. Your Committee therefore believes that re-establishing the appraisal management company registration program will help to mitigate these adverse impacts on home affordability and ownership throughout 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. 2641, H.D. 1, 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. 3757 Ways and Means on H.B. No. 2790

The purpose and intent of this measure is to require the Hawaii Housing Finance and Development Corporation to submit a report analyzing the feasibility of continuing to fund the operations of the housing loan and mortgage program.

Your Committee received written comments in support of this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that due to the current high interest-rate environment, the Hawaii Housing Finance and Development Corporation has been working to re-start the housing loan and mortgage program, which is also known as the Hula Mae Single Family 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. 2790, 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 (Kidani, Fevella).

SCRep. 3758 Ways and Means on H.B. No. 2248

The purpose and intent of this measure is to require and appropriate moneys for the University of Hawaii Sea Grant College Program to develop a north shore beach management and climate adaptation plan for a certain area of the north shore of Oahu.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, University of Hawaii, Shoreline Preservation Coalition, Surfrider Foundation, and two individuals.

Your Committee finds that a beach management and climate adaptation plan for the portion of Oahu's north shore between Sunset Point and Shark's Cove will help to preserve the beach as located within this iconic coastal area for future generations to enjoy.

As affirmed by the record of votes of the members 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. 2248, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (DeCoite).

SCRep. 3759 Judiciary on H.B. No. 2159

The purpose and intent of this measure is to:

- (1) Require the Department of the Attorney General to assist with the preparation and filing of petitions for assisted community treatment and with the presentation of the case, unless declined by the petitioner;

- (2) Repeal language entitling the subject of a petition for assisted community treatment to legal representation by a public defender;
- (3) Provide a mechanism for the automatic screening of certain nonviolent defendants for involuntary hospitalization or assisted community treatment; and
- (4) Authorize courts to require certain probation violators to undergo a mental health evaluation and treatment program as a condition of continued probation.

Your Committee received testimony in support of this measure from the Judiciary, Department of Health, Office of the Public Defender, Hawaii Substance Abuse Coalition, 'Ohana Health Plan, Hawai'i Psychological Association, and one individual.

Your Committee received testimony in opposition to this measure from the ACLU of Hawai'i and one individual.

Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Disability Rights Center.

Your Committee finds that individuals suffering from mental health challenges must be properly evaluated and assessed to determine what types of services they require, and what can be offered to them, whether inpatient, outpatient, or community based, upon the dismissal of a criminal case. Additionally, your Committee believes that permitting the court to divert a probation violator to mental health evaluation and treatment as a condition of continued probation rather than simply revoking the probation will provide the court with a valuable tool to both determine and address whether an individual may be having difficulty with the terms and conditions of their probation due to a mental disease, disorder, or defect. This measure will improve government response to individuals suffering from mental health challenges, particularly for those who may become or already are involved in the criminal justice system.

Your Committee has amended this measure by:

- (1) Inserting language providing that a judge may order that a subject be released during the pendency of a decision on a petition for assisted community treatment;
- (2) Inserting language allowing the family court to appoint an attorney for the subject of a petition for assisted community treatment if the interests of justice require one be appointed;
- (3) Inserting language to repeal the sunset date of June 30, 2024, for Act 111, Session Laws of Hawaii 2017, which will make permanent the orders to treat over objection law in sections 334-161 and 334-162, Hawaii Revised Statutes;
- (4) Making it effective upon its approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2159, 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. 2159, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3760 Ways and Means on H.B. No. 2463

The purpose and intent of this measure is to amend the definition of "employee" in Hawaii's wage and hour law to exclude any employee who receives \$4,000 or more in guaranteed monthly compensation.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations, Democratic Party of Hawaii, Democratic Party of Hawaii Education Caucus, Democratic Party of Hawaii Labor Caucus, and Hawaii Children's Action Network Speaks!.

Your Committee received written comments on this measure from the Maui Chamber of Commerce.

Your Committee finds that the existing guaranteed monthly compensation exemption of \$2,000 equates to less than the State's current minimum wage. Increasing the exemption to \$4,000 will close a loophole in the State's wage and hour law and help protect the financial security of low-income workers.

Your Committee has amended this measure by making the measure effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2463, 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. 2463, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Kidani).

SCRep. 3761 Ways and Means on H.B. No. 2384

The purpose and intent of this measure is to amend provisions regarding the powers of the School Facilities Authority and the funding of school development, planning, or construction projects.

Specifically, this measure:

- (1) Makes the Department of Education, instead of the School Facilities Authority, the administrator of the school facilities special fund;

- (2) Reduces by \$100,000,000 the appropriation made to the school facilities special fund, pursuant to Act 257, Session Laws of Hawaii 2022, as amended by Act 175, Session Laws of Hawaii 2023, for school-related construction projects; and
- (3) Changes the means of financing for \$100,000,000 of school facilities special fund moneys appropriated pursuant to Act 257, Session Laws of Hawaii 2022, as amended by Act 175, Session Laws of Hawaii 2023, from general funds to general obligation bond funds.

Your Committee received written comments on this measure from the Department of Budget and Finance and School Facilities Authority.

Your Committee finds that reducing a portion of the funding made by Act 257, Session Laws of Hawaii 2022, as amended by Act 175, Session Laws of Hawaii 2023, and changing the means of financing for the remaining portion will help to balance the state financial plan.

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 H.B. No. 2384, 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. 2384, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3762 Ways and Means on H.B. No. 1772

The purpose and intent of this measure is to prevent fall-related injuries among senior citizens.

Specifically, this measure appropriates moneys to support the Department of Health's Senior Fall Prevention Campaign.

Your Committee received written comments in support of this measure from the Disability and Communication Access Board, Office of Hawaiian Affairs, Executive Office on Aging, Alzheimer's Association, AARP Hawaii, Catholic Charities Hawaii, Hawai'i Family Caregiver Coalition, and four individuals.

Your Committee received written comments on this measure from the Department of Health.

Your Committee finds that an average of one hundred forty-four seniors die and thousands more are injured as a result of unintentional falls each year. Your Committee further finds that falls are not an inevitable part of aging and are preventable.

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. 1772, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1772, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3763 Ways and Means on H.B. No. 2329

The purpose and intent of this measure is to protect the agricultural industry from destructive invasive species.

Specifically, this measure appropriates moneys to establish a one-year pilot program to reduce the population of rose-ringed parakeets on Kauai using past research and on-the-ground experience to guide future strategies.

Your Committee received written comments in support of this measure from the Department of Agriculture, Department of Land and Natural Resources, Office of Economic Development of the County of Kauai, Hawaii Farm Bureau, The Nature Conservancy, Kauai Invasive Species Council, and five individuals.

Your Committee finds that rose-ringed parakeets cause significant damage to food crops and other agricultural goods. Your Committee further finds that a year-long pilot program to reduce the population of rose-ringed parakeets is needed to provide relief to farmers.

Your Committee has amended this measure by:

- (1) Expanding the scope of the pilot program to include the island of Oahu; 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. 2329, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2329, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3764 Ways and Means on H.B. No. 2224

The purpose and intent of this measure is to require and appropriate moneys for the Executive Office on Aging to create a comprehensive plan to accomplish long-term care policy goals that, when implemented, will ensure the availability of a full continuum of institutional and community-based services.

Your Committee received written comments in support of this measure from the Hawaii State Health Planning and Development Agency, Executive Office on Aging, AARP Hawaii, and Healthcare Association of Hawaii.

Your Committee finds that the plan required and funded by this measure will help further the State's goal to create a strong, comprehensive, long-term care system in Hawaii.

Your Committee has amended this measure by:

- (1) Requiring the Executive Office on Aging to coordinate with the State Health Planning and Development Agency to develop the long-term care plan, as suggested in written comments from the State Health Planning and Development Agency; 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. 2224, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2224, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3765 Ways and Means on H.B. No. 1533

The purpose and intent of this measure is to increase the amount of death benefits paid by the Department of Human Services to cover the costs of cremation and disposition for a deceased person who was eligible for medical or financial assistance at the time of the person's death and whose body is unclaimed.

Your Committee received written comments in support of this measure from ILWU - Local 1000/Sebastian's Arch, LLC; Hawaii Funeral and Cemetery Association; Dodo Mortuary, Inc.; and one individual.

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

Your Committee finds that when a body is unclaimed, mortuaries and crematories bear any costs above the State's reimbursement rate for the body's cremation, transportation, storage, and final disposition. Increasing the reimbursement rate will make it more sustainable for the State's mortuaries and crematories to continue to accept and care for unclaimed remains.

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. 1533, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1533, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3766 Ways and Means on H.B. No. 2042

The purpose and intent of this measure is to appropriate moneys to address the mental health and wellness needs of youth in the State.

Your Committee received written comments in support of this measure from the Governor's Office of Wellness and Resilience, Office of Hawaiian Affairs, Disability and Communication Access Board, Catholic Charities of Hawaii, Hawaii Substance Abuse Coalition, Hawaii Youth Services Network, Healani Land Company, Mental Health America of Hawaii, YMCA of Honolulu, and five individuals.

Your Committee received written comments on this measure from the Department of Health.

Your Committee finds that the funding appropriated by this measure will support and address the growing mental health challenges faced by youth in the State.

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. 2042, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2042, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3767 Ways and Means on H.B. No. 2712

The purpose and intent of this measure is to appropriate moneys to increase funding for the Department of Human Services' med-QUEST Division reimbursement for applied behavioral analysis services.

Your Committee received written comments in support of this measure from ABC Group Hawaii, BAYADA, Behavior Analysis No Ka Oi, BTSH, Experiad LLC, the Council of Autism Service Providers, Easterseals Hawaii, Hawaii Association for Behavior Analysis, Hawaii Psychological Association, Kuhn Behavioral Consulting, Malama Pono Autism Centers, Mau Loa Learning LLC, Pakolea Support Services, Positive Behavior Supports Corporation, 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 Human Services and one individual.

Your Committee finds that the appropriation and increased med-QUEST reimbursement rate for behavioral analysis services in this measure will help to ensure that individuals with autism and their families have access to the best possible care and support.

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. 2712, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2712, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3768 (Joint) Ways and Means and Judiciary on H.B. No. 2361

The purpose and intent of this measure is to facilitate assistance between the Hawaii Community Development Authority and state and county agencies.

Specifically, the measure authorizes:

- (1) Any state or county agency to assist and enter into cooperative agreements with the Hawaii Community Development Authority upon request of the Authority for the purposes of chapter 206E, Hawaii Revised Statutes; and
- (2) The Hawaii Community Development Authority, upon request of a state or county agency, to render services to, assist, and enter into cooperative agreements with state or county agencies for projects within and outside designated community development districts.

Your Committees received written comments in support of this measure from the Department of Corrections and Rehabilitation; Department of Land and Natural Resources; Department of Business, Economic Development, and Tourism; and Hawaii Community Development Authority.

Your Committees recognize that section 206E-18, Hawaii Revised Statutes, currently authorizes state and county agencies to render services to the Hawaii Community Development Authority upon request, but does not explicitly authorize the Authority to reciprocate. Your Committees find that if the Authority is willing to use its extensive knowledge and experience to assist other state and county agencies on projects, then the Authority should have the power to do so.

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. 2361, 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, 10. Noes, none. Excused, 3 (Kidani, Shimabukuro, Fevella).

Judiciary: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Awa).

SCRep. 3769 Ways and Means on H.B. No. 1595

The purpose and intent of this measure is to require the Department of the Attorney General to establish, and require the Hawaii Criminal Justice Center to submit legislation regarding, a temporary pilot project to expunge certain arrest records relating to the possession of marijuana.

Your Committee received written comments in support of this measure from the Judiciary; Chamber of Sustainable Commerce; Marijuana Policy Project; Community Alliance on Prisons; Democratic Party of Hawaii; American Civil Liberties Union of Hawaii; Hawaii Cannabis Industry Solutions; Opportunity Youth Action Hawaii; Japanese American Citizens League, Honolulu Chapter; Last Prisoner Project; Hawaii Innocence Project and Beyond Guilt Hawaii; and three individuals.

Your Committee received written comments on this measure from the Department of the Attorney General.

Your Committee finds that a past criminal record can impose barriers to a person's progress and access to employment, housing, education, insurance, and other necessities of life. Your Committee also finds that a pilot project that is focused on the expungements of arrest records for low-level marijuana offenses could help eliminate the stigma attached to those records.

As affirmed by the record of votes of the members 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. 1595, 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 (Kidani, Fevella).

SCRep. 3770 Ways and Means on H.B. No. 1830

The purpose and intent of this measure is to establish a framework for granting provisional or associate-level licensure for marriage and family therapists, mental health counselors, and psychologists.

Your Committee received written comments in support of this measure from the Board of Psychology; Department of Health; Disability and Communication Access Board; Office of Wellness and Resilience; State Council on Mental Health; AlohaCare; Brighter Bound; Center for Healing & Transformation; Hawaii Association for Marriage and Family Therapists; Hawaii Counselors Association; Hawaii Substance Abuse Coalition; National Association of Social Workers - Hawaii Chapter; Parents And Children

Together; Pau Hana Counseling, LLC; The Hawaii Psychological Association; The Hawaiian Islands Association for Marriage and Family Therapy; and numerous individuals.

Your Committee received written comments on this measure from the Department of Commerce and Consumer Affairs.

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. 1830, 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 (Kidani, Fevella).

SCRep. 3771 Ways and Means on H.B. No. 2241

The purpose and intent of this measure is to support the operations of the Civil Air Patrol.

Specifically, this measure:

- (1) Appropriates moneys to the Department of Defense for civilian auxiliary aviation operations of the type performed by the Civil Air Patrol; and
- (2) Authorizes the Civil Air Patrol to receive grant funding from the State, without requiring bylaws or policies that describe the manner in which the activities or services for which a grant awarded under Chapter 42F, Hawaii Revised Statutes, will be conducted or provided.

Your Committee received written comments in support of this measure from the Civil Air Patrol.

Your Committee received written comments in opposition to this measure from the Department of the Attorney General.

Your Committee finds that, for more than seventy-five years, the Civil Air Patrol has assisted emergency management agencies throughout the nation with disaster response and recovery efforts. In Hawaii, the Civil Air Patrol has provided valuable services following catastrophic wildfires, volcanic eruptions, inclement weather incidents, flooding events, and tsunamis.

Your Committee has amended this measure by:

- (1) Removing language that would exempt certain entities that are wholly owned by the United States from the requirement to have bylaws or policies describing the manner in which a grant awarded under Chapter 42F, Hawaii Revised Statutes, will be used;
- (2) Removing language that would require annual appropriations to the Hawaii Wing, Civil Air Patrol, notwithstanding Chapter 42F, Hawaii Revised Statutes, or other laws to the contrary; 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. 2241, 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. 2241, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (Kidani, Fevella).

SCRep. 3772 Ways and Means on H.B. No. 2644

The purpose and intent of this measure is to appropriate moneys 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, Coordinating Group on Alien Pest Species, Hawaii Farm Bureau, Hawaii Ant Lab, and four individuals.

Your Committee received written comments on this measure from the Department of Agriculture and University of Hawaii.

Your Committee finds that the moneys and positions authorized by this measure will provide critical support to the Hawaii Ant Lab for mitigating little fire ant infestations, conducting extension services, and developing and refining the lab's tools and methods.

Your Committee has amended this measure by:

- (1) Changing the expending agency for the appropriation from the Department of Land and Natural Resources to the Department of 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. 2644, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2644, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (Kidani, Fevella).

SCRep. 3773 Ways and Means on H.B. No. 2685

The purpose and intent of this measure is to equitably expand access to clean energy.

More specifically, this measure establishes:

- (1) The Solar Hui Program, in which multi-family residential property owners may co-invest in solar systems for low- and moderate-income households;
- (2) The solar hui investment fund; and
- (3) A Solar Hui Program Fund Manager position.

Your Committee received written comments in support of this measure from the Hawaii Green Infrastructure Authority, Blue Planet Foundation, Climate Protectors Hawaii, Hawaii Executive Collaborative's Climate Coalition, Hawaii REALTORS, and 350 Hawaii.

Your Committee received written comments on this measure from the Department of Budget and Finance and the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy.

Your Committee finds that the equitable expansion of solar energy provided by this measure will help the State reach its renewable energy and decarbonization goals.

Your Committee notes that, in its written comments, the Hawaii Green Infrastructure Authority requested an appropriation of \$125,000 plus fringe out of the Hawaii green infrastructure special fund for the implementation of the Solar Hui 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. 2685, 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 (Kidani, Fevella).

SCRep. 3774 Ways and Means on H.B. No. 2720

The purpose and intent of this measure is to establish a new bargaining unit for graduate assistants employed by the University of Hawaii and community college system.

Your Committee received written comments in support of this measure from the Stonewall Caucus of the Democratic Party of Hawaii, Pride at Work - Hawaii, United Public Workers, Hawaii State Teachers Association, National Education Association, University of Hawaii at Manoa Graduate Student Organization, Academic Labor United, University of Hawaii Student Caucus, Democratic Party of Hawaii, Hawaii Government Employees Association, Democratic Party of Hawaii Education Caucus, Democratic Party of Hawaii Labor Caucus, and numerous individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance and University of Hawaii Professional Assembly.

Your Committee finds that providing collective bargaining rights to graduate student assistants will help to increase employment benefits, encourage qualified individuals to seek employment in those positions, and promote equity among university teaching 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. 2720, H.D. 3, 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 (Kidani, Fevella).

SCRep. 3775 Ways and Means on H.B. No. 1925

The purpose and intent of this measure is to facilitate future long-range development of the State.

More specifically, this measure:

- (1) Establishes the Hawaii State Planning Act Phase II Task Force within the Office of Planning and Sustainable Development; and
- (2) Makes an appropriation.

Your Committee received written comments in support of this measure from the Hawaii Department of Agriculture, Office of Hawaiian Affairs, Office of Planning and Sustainable Development, Department of Research & Development, County of Hawai'i, aio, Hawaii Community Foundation, Hawaii Farm Bureau, Hawaii Gas, Hawaiian Host Group, Holomua Collaborative, Housing Hawaii's Future, HPM Building Supply, Mana Up, Title Guaranty of Hawaii, and Tori Richard.

Your Committee finds that Act 100, Session Laws of Hawaii 1978, established the Hawaii State Planning Act to guide future long-range development of the State. Your Committee also finds that, in 2018, the Office of Planning and Sustainable Development completed Phase I of the comprehensive review of the Hawaii State Planning Act. Your Committee further finds that the Office of Planning and Sustainable Development's findings and recommendations provide a foundation and scope of a recommended Phase II update, including an approach to align current and emerging conditions and issues to enhance the effectiveness of planning, the needs of Hawaii's people, and the future trajectory of 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. 1925, H.D. 2, 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. 3776 Ways and Means on H.B. No. 2496

The purpose and intent of this measure is to authorize state agencies to use an alternative procurement method if authorized by a federal statute or other authority and the head of the purchasing agency.

Your Committee received written comments on this measure from the State Procurement Office and Department of Transportation.

Your Committee finds that authorizing the use of specific alternative procurement methods will provide flexibility to help reduce costs for procurements for which existing methods of source selection may not be 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 H.B. No. 2496, H.D. 1, 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. 3777 Ways and Means on H.B. No. 2227

The purpose and intent of this measure is to increase the availability of child care for military and civilian families.

Specifically, this measure exempts United States Department of Defense-certified child care providers who operate off federal property from the state law governing child care.

Your Committee received written comments in support of this measure from the United States Department of Defense, Department of Human Services, and Hawaii Military Affairs Council.

Your Committee finds that both civilian and military families are often in urgent need of qualified child care options. Your Committee further finds that exempting family child care providers who are already certified through the military service process from state laws governing child care will improve the quality of life and economic security of providers and families.

As affirmed by the record of votes of the members 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. 2227, H.D. 2, 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. 3778 (Joint) Commerce and Consumer Protection and Ways and Means on H.B. No. 2614

The purpose and intent of this measure is to:

- (1) Require government entities in the State that issue building permits to implement, by January 1, 2025, 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; and
- (2) Require government entities in the State that issue building permits in areas served by an investor-owned electric utility to adopt a self-certification process for solar distributed energy resource systems that are not SolarAPP+ compatible.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office; Sierra Club of Hawai'i; Sunnova Energy International, Inc.; Catholic Charities Hawai'i; Citizens' Climate Lobby Hawaii; Canadian Solar Inc.; Solar Help Hawaii; Sol-Ark; Photonworks Engineering LLP; Independent Energy; Building Decarbonization Task Force of the Hawai'i Environmental Change Agents; Hawai'i Energy; Blue Planet Foundation; Free Access Coalition; Greenpeace Hawai'i; Hawai'i Executive Collaborative Climate Coalition; AES Hawai'i; Alaska Airlines; Alexander & Baldwin; Bowers & Kubota; Chaminade University; Hawai'i Green Bank; Hawaiian Airlines; Hawaiian Electric; 'Iolani School; Kaiser Permanente; KHON2; The Nature Conservancy - Hawai'i and Palmyra; Re-Use Hawaii; School of Ocean and Earth Science and Technology, University of Hawai'i; Sun Noodle; Young Brothers; Zephyr Insurance Company, Inc.; Zippy's; Green Party of Hawai'i; Hawaii Solar Energy Association; Kauai Climate ACTION Coalition; 350Hawaii.org; Sunrun Inc.; Ulupono Initiative; Hawai'i Alliance for Progressive Action; Malama Solar LLC; The Solaray Corporation dba Inter-Island Solar Supply; Hawaii Food Industry Association; Chamber of Sustainable Commerce; Environmental Caucus of the Democratic Party of Hawai'i; Tesla; and seventy-three individuals.

Your Committees received testimony in opposition to this measure from the Contractors License Board.

Your Committees received comments on this measure from the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects.

Your Committees find that the building permit process is essential to ensuring that construction work is carried out safely and in compliance with necessary laws, building codes, and regulations. However, the comprehensive nature of the building permit process can sometimes result in delays or significant additional costs for projects, which in turn can constrain the deployment of important energy generation and storage technology systems that are necessary for the State to meet its ambitious renewable energy goals. Your Committees further find that online permitting tools specifically tailored towards helping expedite the building permit process for solar distributed energy resource systems, such as the United States Department of Energy's SolarAPP+, have been successfully implemented by many other states and cities. Therefore, this measure requires any government entity in the State that issues building permits to take advantage of these renewable energy permitting tools to help the State meet its clean energy, reliability, and resilience goals.

Notwithstanding, your Committees have heard the concern raised by the Hawaii State Energy Office regarding language in this measure pertaining to the self-certification process for areas served by an investor-owned electric utility requiring certain written notice

from the duly licensed architect or duly licensed engineer who intends to install the solar distributed energy resource system, on grounds that engineers and architects are not approved installers of systems. Your Committees also note the testimony of the Contractors License Board requesting implementation of additional safeguards before the closing of the building permits. Therefore, amendments to this measure are necessary.

Accordingly, your Committees have amended this measure by:

- (1) Amending the self-certification process for residential and commercial on-site solar distributed energy resource systems in areas of the State served by an investor-owned electric utility by:
 - (A) Clarifying that the government entity that issues building permits is required to receive written notice that the installation of the system complies with all applicable codes and laws from the projects' relevant licensed professionals in their respective fields, rather than the duly licensed architect, duly licensed engineer, duly licensed electrician, or duly licensed plumber, as applicable, who intends to install the solar distributed energy resource system; and
 - (B) Inserting language that requires the government entity that issues building permits to conduct a final inspection after completion of the project and deem the installation to be in compliance with all applicable codes and laws before closing of the permit;
- (2) Requiring the Hawaii State Energy Office to plan for the State to achieve its energy goals with deadlines, including the renewable portfolio standards set forth in section 269-92, Hawaii Revised Statutes, before January 1, 2025, the date by which government entities in the State that issue building permits are required to implement SolarAPP+ or a functionally equivalent online automated permitting platform pursuant to this measure; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on 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. 2614, 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. 2614, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (Awa).

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (DeCoite, Dela Cruz).

SCRep. 3779 (Joint) Commerce and Consumer Protection and Ways and Means on H.B. No. 2144

The purpose and intent of this measure is to require the Department of Health to amend the definition of "homemade food products" under chapter 11-50, Hawaii Administrative Rules, and adopt certain administrative rules regarding the sale and delivery of homemade food products.

Your Committees received testimony in support of this measure from the Department of Health; Agribusiness Development Corporation; Hawaiian Goodness LLC; Hawaii Master Food Preservers, Inc.; Grassroot Institute of Hawaii; Hawaii Tropical Fruit Growers; Food+ Policy Internship 2024; Maui Chamber of Commerce; Pukana Lā Farms; and thirteen individuals.

Your Committees received comments on this measure from the Department of Agriculture.

Your Committees find that the homemade food industry, which includes home-prepared food products that are sold directly to consumers, is a small but growing industry that is preferred by certain consumers who are mindful of responsible food sourcing, interested in a healthy lifestyle, and want to support the local communities and individuals who produce the foods that they enjoy. Your Committees find that despite the great interest in commercially available homemade food, the existing regulatory framework creates many challenges and burdens for those who cannot easily comply with the requirements established by the Department of Health. Your Committees find that by enacting this measure, the State can help support and grow small businesses, offer locally-made alternatives to imported brands, create local employment opportunities, and keep more money within local communities.

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 H.B. No. 2144, 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. 2144, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (Awa).

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Aquino, Wakai).

SCRep. 3780 (Joint) Commerce and Consumer Protection and Ways and Means on H.B. No. 1828

The purpose and intent of this measure is to:

- (1) Extend the deadline for the State to achieve its energy-efficiency portfolio standards (EEPS) target from 2030 to 2045 and update the EEPS;
- (2) Require the Public Utilities Commission to establish interim goals for electricity use reduction to be achieved by 2030, 2035, and 2040, in addition to 2015, 2020, and 2025; and
- (3) Authorize the Public Utilities Commission to adjust the 2045 and interim EEPS.

Your Committees received testimony in support of this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Public Utilities Commission, Hawaii State Energy Office, Hawaii Green Infrastructure Authority,

Office of Economic Development of the County of Kaua'i, Hawaiian Electric, Building Decarbonization Task Force of the Hawai'i Environmental Change Agents, Blue Planet Foundation, Citizens' Climate Lobby Hawaii, Hawai'i Alliance for Progressive Action, Ulupono Initiative, 350Hawaii.org, Hawaii Solar Energy Association, Elemental Excelerator, Hawai'i Energy, and ten individuals.

Your Committees find that energy efficiency is a means of using less energy to provide the same or greater level of energy services to end-users. Act 155, Session Laws of Hawaii 2009, codified energy efficiency goals for the State by establishing an EEPS target goal of reducing statewide electricity use by 4,300 gigawatt-hours by 2030, and required the Public Utilities Commission to establish interim goals for electricity use reduction to maximize cost-effective energy efficiency programs and technologies. Your Committees find that tremendous progress has since been made towards this goal and, this measure, by updating the EEPS target to 6,000 gigawatt-hours of cumulative persisting electricity savings by 2045, will ensure that Hawaii residents will continue to see the benefits from energy-efficiency programs over the next two decades. Further, by aligning the EEPS target date with that of the State's renewable energy portfolio standards target date, this measure will help facilitate improved monitoring and coordinated planning across the state energy sector.

Your Committees note that during the public hearing for this measure, certain concerns were raised regarding the Public Utilities Commission's collaboration with the Hawaii State Energy Office, which participates in EEPS discussions as a member of the EEPS Technical Working Group, a group of energy stakeholders that, among other things, review and assess the State's progress towards meeting its EEPS 2030 target goal. Your Committees note that because the Hawaii State Energy Office does not have a board and does not report directly to the Director of Business, Economic Development, and Tourism, there is little accountability for them in relation to assisting the State in meeting its EEPS target, including the interim goals, and their set of goals has become acquiring federal funds. Your Committees further note that the primary focus of the EEPS Technical Working Group and its members should be on outcomes, such as meeting the EEPS target goal including interim goals, and not just on acquiring federal funding. 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 interim goals established by the Public Utilities Commission for electricity use reduction shall show clear progress towards meeting the State's 2045 EEPS goal; 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. 1828, 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. 1828, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (Awa).

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Aquino, Wakai).

SCRep. 3781 (Joint) Commerce and Consumer Protection and Ways and Means on H.B. No. 2253

The purpose and intent of this measure is to:

- (1) Authorize the Department of Health to require all restaurants and hotel establishments to maintain an inventory of an opioid antagonist;
- (2) Expressly permit law enforcement officers to carry an opioid antagonist while on-duty;
- (3) Require funds for the purchase of opioid antagonists used by law enforcement officers employed by a county to be paid for using county funds; and
- (4) Clarify that emergency personnel, law enforcement officers, and first responders may administer an opioid antagonist to an individual experiencing an opioid-related drug overdose.

Your Committees received testimony in support of this measure from the Honolulu Police Department, one member of the Honolulu City Council, Hawaii Substance Abuse Coalition, Democratic Party of Hawai'i, Hawai'i Health & Harm Reduction Center, and Hawai'i Lodging & Tourism Association.

Your Committees received testimony in opposition to this measure from the Hawai'i Restaurant Association, Tiki's Grill & Bar, and Posso Pizza Inc. dba Domino's Pizza.

Your Committees find that opioid antagonists are substances that bind to opioid receptors to block the effects of opioids. In this manner, opioid antagonists can counteract opioid signaling and help return a person's nervous system to a state of balance. Your Committees further find that pre-stationing opioid antagonists in certain public spaces, such as restaurants and hotel establishments, can help expedite antidote delivery and prevent opioid overdoses. Therefore, this measure facilitates the prevention of opioid overdoses by increasing the number of establishments where opioid antagonists shall be maintained and clarifying the situations under which appropriate individuals may administer them.

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. 2253, H.D. 2, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (Awa).

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (DeCoite, Dela Cruz).

SCRep. 3782 Ways and Means on H.B. No. 2083

The purpose and intent of this measure is to provide for the establishment of programs within the Department of Education relating to school meals.

More specifically, this measure:

- (1) Requires the Department of Education to establish a recognition program to incentivize certain schools to submit a plan to reach the State's local farm to school meal goal; and
- (2) Authorizes the Department of Education to establish a plant-based meal pilot program at Mililani High School to provide a plant-based meal option at the school, and to report to the Legislature.

Your Committee received written comments in support of this measure from the Department of Agriculture, Mililani High School, Office of Hawaiian Affairs, 350 Hawaii, Center for Getting Things Started, Down to Earth Organic & Natural, Hawaii Alliance for Progressive Action, Hawaii Farmers Union, Hawaii Food+ Policy, and numerous individuals.

Your Committee received written comments on this measure from the Department of Education, Hawaii Cattlemen's Council, Hawaii Farm Bureau, and one individual.

Your Committee finds that providing plant-based meal options at Department of Education schools will promote healthier and more environmentally conscious school meals. Your Committee also finds that incentivizing schools to develop plans to reach the State's local farm to school meal goal will help to support the State's agricultural industry.

As affirmed by the record of votes of the members 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. 2083, H.D. 3, 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 (Kidani, Fevella).

SCRep. 3783 Ways and Means on H.B. No. 1639

The purpose and intent of this measure is to establish a calculation for the Hawaii Employer-Union Health Benefits Trust Fund employer base composite monthly contribution so that the contribution amount will be known to retirees during open enrollment.

Specifically, this measure:

- (1) Effective January 1, 2025, establishes a 5.2 percent rate increase for the employer base composite monthly contribution; and
- (2) Effective January 1, 2026, establishes that the employer base composite monthly contribution shall be based on the change in Medicare Part B premiums from 2024 to 2025 and at a two-year lag thereafter.

Your Committee received written comments in support of this measure from the Hawaii Employer-Union Health Benefits Trust Fund and one individual.

Your Committee finds that the current calculation of the employer base composite monthly contribution relies on Medicare Part B premium amounts that are sometimes not published until after the retiree open enrollment period. Accordingly, in some years, retirees are uncertain of their employer's contribution amounts when deciding to enroll in the program. Your Committee further finds that this measure will correct this problem by requiring the employer contribution amounts to be calculated based on Medicare Part B premium amounts that are published before open enrollment, thereby providing more certainty to retirees during open enrollment.

As affirmed by the record of votes of the members 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. 1639, H.D. 1, 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. 3784 Ways and Means on H.B. No. 1997

The purpose and intent of this measure is to authorize the Public Utilities Commission to establish a discounted rate by tariff for certain water carriers engaging in the interisland transport of renewable hydrogen.

Your Committee received written comments in support of this measure from the Department of Research and Development of the County of Hawaii, Sustainable Energy Hawaii, and one individual.

Your Committee received written comments in opposition to this measure from 350 Hawaii and Kauai Climate Action Coalition.

Your Committee received written comments on this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Hawaii State Energy Office, and Public Utilities Commission.

Your Committee finds that making the delivery of renewable fuels more cost-efficient through the use of discounted rates for the interisland transport of renewable hydrogen will help the State to more efficiently achieve its sustainable energy goals.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1997, H.D. 1, 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. 3785 Ways and Means on H.B. No. 2467

The purpose and intent of this measure is to repeal the sunset date of Act 222, Session Laws of Hawaii 2021, which will have the effect of permanently authorizing the Board of Land and Natural Resources to approve rent credits for demolition and infrastructure costs for public land leases.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources.

Your Committee recognizes that Act 222, Session Laws of Hawaii 2021, authorizes the Board of Land and Natural Resources to approve rent credits to encourage lessees on public lands to conduct demolition work or improve infrastructure. Your Committee also recognizes that Act 222 is scheduled to be repealed on June 30, 2026. Your Committee finds it appropriate make Act 222 permanent, so that the Board of Land and Natural Resources may continue to negotiate long-term leases and provide incentives for investments.

As affirmed by the record of votes of the members 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. 2467, H.D. 1, 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. 3786 Ways and Means on H.B. No. 2486

The purpose and intent of this measure is to authorize the Director of Taxation or the Director's designee to serve administrative subpoenas outside of Hawaii.

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 many businesses that are subject to Hawaii state taxes do not have a physical presence in the State or maintain a location for service of process in the State. Your Committee believes that authorizing the Director of Taxation and a designee of the Director to serve administrative subpoenas outside the State will help to assist the Department of Taxation in enforcing Hawaii's tax laws and thus increase tax revenues.

As affirmed by the record of votes of the members 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. 2486, H.D. 1, 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. 3787 Ways and Means on H.B. No. 1892

The purpose and intent of this measure is to support the upgrade, conversion, or connection of certain cesspools in the State.

More specifically, this measure:

- (1) Establishes distinct dates by which each cesspool in the State categorized as priority level 1 or 2 is upgraded, converted, or connected to a sewerage system;
- (2) Authorizes the Director of Health to consult with the counties, nonprofit organizations, and wastewater industry professionals for certain public outreach and education activities; and
- (3) Appropriates moneys to the Department of Health to:
 - (A) Retain qualified consultants to undertake certain public outreach and education activities; and
 - (B) Implement the cesspool compliance pilot grant project established pursuant to Act 153, Session Laws of Hawaii 2022, including establishing full-time equivalent engineer and accountant positions.

Your Committee received written comments in support of this measure from the Department of Hawaiian Home Lands, Department of Land and Natural Resources, Hawaii Green Infrastructure Authority, University of Hawaii, Coral Reef Alliance, Hawaii Reef and Ocean Coalition, Indivisible Hawaii, Public Access to Sunscreens, Surf Rider Foundation, WAI: Wastewater Alternatives and Innovations, and four individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Health and Hawaii REALTORS.

Your Committee finds that establishing distinct deadlines for higher-risk cesspools, including those categorized as priority levels 1 or 2, will help to protect the State's coral reefs by minimizing nearshore water contamination.

As affirmed by the record of votes of the members 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. 1892, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (DeCoite, Kidani).

SCRep. 3788 Ways and Means on H.B. No. 2107

The purpose and intent of this measure is to ensure that limited English proficient populations are incorporated into disaster management planning.

Specifically, this measure appropriates moneys to establish limited English proficiency language access coordinator positions within the Hawaii Emergency Management Agency.

Your Committee received written comments in support of this measure from the Office of Community Services, Office of Language Access, Hawaii State Health Planning and Development Agency, Waipahu Safe Haven Center, Hawaii State Coalition Against Domestic Violence, Hawai'i Alliance for Progressive Action, Hawaii Coalition for Immigrant Rights, The Legal Clinic, Hawaii Friends of Civil Rights, and seven individuals.

Your Committee received written comments on this measure from the Department of Human Services and the Disability and Communication Access Board.

Your Committee finds that many individuals who are not proficient in the English language encounter barriers when attempting to obtain relief through state or county programs during the aftermath of disasters. Your Committee further finds that this measure will help to ensure that all individuals can access critical services following disasters, regardless of their level of English proficiency.

As affirmed by the record of votes of the members 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. 2107, 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 (DeCoite, Kidani).

SCRep. 3789 Ways and Means on H.B. No. 2074

The purpose and intent of this measure is to appropriate moneys and positions for the Department of Education Hawaiian language immersion program, known as Kaiapuni schools.

Your Committee received written comments in support of this measure from the Hawaii Teacher Standards Board, Office of Hawaiian Affairs, Department of Education, Aha Kauleo, Hawaii Alliance for Progressive Action, Hawaii State Teachers Association, Ke Kula Kaiapuni o Kailua, Hui Makua O Puohala, and fifteen individuals.

Your Committee finds that the appropriation of moneys and positions in this measure will help to increase access to the Kaiapuni program and assist the State in meeting its legal obligations under *Clarabal v. Department of Education* and the Constitution of the State of 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. 2074, H.D. 2, 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. 3790 Ways and Means on H.B. No. 2369

The purpose and intent of this measure is to increase the maximum interest rate on Community-Based Economic Development loans to ten percent.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that increasing the maximum allowable interest rate on Community-Based Economic Development loans to ten percent will ensure that the loan program has the flexibility to offer low-interest loans that also comply with applicable federal rules.

As affirmed by the record of votes of the members 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. 2369, H.D. 1, 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. 3791 Ways and Means on H.B. No. 2457

The purpose and intent of this measure is to facilitate the effectiveness of the Department of Law Enforcement.

Specifically, the measure:

- (1) Requires the Department of Law Enforcement to pursue and obtain accreditation from the Commission on Accreditation for Law Enforcement Agencies, Inc., for all divisions and sections within the Department of Law Enforcement; and
- (2) Establishes Commission on Accreditation for Law Enforcement Agencies coordinator positions, exempt from civil service, within the Department.

Your Committee received written comments in support of this measure from the Department of Law Enforcement and State of Hawaii Organization of Police Officers.

Your Committee recognizes that the Sheriff Division of the Department of Law Enforcement has been required to be pursue accreditation from the Commission on Accreditation for Law Enforcement Agencies, Inc., since 2011, when the Sheriff Division was still part of the Department of Public Safety. Your Committee finds that the current accreditation requirement is insufficient for the Department of Law Enforcement, a statewide law enforcement agency comprising additional divisions and sections along with the Sheriff Division. Accordingly, your Committee finds that it is essential to expand the accreditation requirement to all divisions and sections within the Department.

As affirmed by the record of votes of the members 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. 2457, H.D. 2, 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. 3792 Ways and Means on H.B. No. 2365

The purpose and intent of this measure is to replace the Director of Law Enforcement, as a member of the Hawaii Interagency Council for Transit-Oriented Development, with the Director of Corrections and Rehabilitation.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Corrections and Rehabilitation; and Office of Planning and Sustainable Development.

Your Committee finds that because the Hawaii Interagency Council for Transit-Oriented Development advises on the planning and development of certain state facilities, including the redevelopment of Department of Corrections and Rehabilitation properties, the Director of Corrections and Rehabilitation is a more appropriate director to serve as a member of the Council.

As affirmed by the record of votes of the members 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. 2365, H.D. 1, 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. 3793 (Joint) Ways and Means and Judiciary on H.B. No. 2690

The purpose and intent of this measure is to make changes to the management structure, responsibilities, and funding of the Commission on Water Resource Management to support the State's water management and water remediation efforts.

More specifically, part I of the measure:

- (1) Establishes the position of Red Hill Water Alliance Initiative (WAI) Policy Coordinator within the Office of the Executive Director of the Commission on Water Resource Management (Commission);
- (2) Establishes a Red Hill Remediation Special Fund to be administered by the WAI Policy Coordinator;
- (3) Establishes and appropriates moneys for positions within the Office of the Chairperson of the Board of Land and Natural Resources for purposes of WAI policy coordination; and
- (4) Appropriates moneys for ecosystem monitoring by the Department of Land and Natural Resources of the area surrounding the Red Hill Bulk Fuel Storage Facility.

Part II of the measure:

- (1) Authorizes the Commission to retain independent legal counsel;
- (2) Authorizes the Commission to declare a water emergency in certain circumstances;
- (3) Repeals the position of Deputy for Water Resource Management and replaces it with the position of Executive Director of the Commission on Water Resource Management;
- (4) Clarifies that the Commission is attached to the Department of Land and Natural Resources for administrative purposes only;
- (5) Requires the nominating committee for the Commission to include one person appointed by the Chief Executive Officer of the Office of Hawaiian Affairs;
- (6) Authorizes affected parties to challenge an emergency order of the Commission;
- (7) Establishes fines for certain water use offenses and violations of the Commission's orders; and
- (8) Clarifies the Commission's authority to declare a water shortage and the requirements for providing public notice of the declared water shortage.

Your Committees received written comments in support of this measure from the Office of Hawaiian Affairs; University of Hawaii; Board of Water Supply; Koolau Foundation; Kupuna for the Moopuna; Hoakamana; Free Access Coalition; Lahaina Strong; Hui O Na Wai Eha; Jewish Voice for Peace - Hawaii; Recycle Hawaii, Clean the Pacific; Green Party of Hawaii; Save Honolua Coalition; Native Hawaiian Legal Corporation; Ke Kula Kaiapuni o Kekaulike; Ahahui o Hawaii; Na Kiai Kai; Koolaupoko Hawaiian Civic Club; Hawaii Alliance for Progressive Action; Council for Native Hawaiian Advancement; Hawaii Government Employees Association; Sierra Club; Tagnawa for Maui; Sierra Club of Hawaii; Democratic Party of Hawaii; ACLU of Hawaii; Kaneohe Bay Regional Council; New Earth Flow; Help Maui Rise; and numerous individuals.

Your Committees received written comments in opposition to this measure from the Department of Land and Natural Resources, Attorney General, and two individuals.

Your Committees received written comments on this measure from the Department of Budget and Finance and two individuals.

Your Committees find that the changes made by this measure to the management, responsibilities, and funding of the Commission on Water Resource Management will help ensure comprehensive, coordinated, and complete remediation of the water contamination linked to the Red Hill Bulk Fuel Facility. Your Committees also find that these changes will improve the Commission's ability to oversee the State's water resource management and to address water shortages and water emergencies.

Your Committees note that the Department of Land and Natural Resources, in its written comments, requested the following amendments to the measure:

- (1) Placing the position of WAI Policy Coordinator within the Office of the Chairperson of the Board of Land and Natural Resources, rather than within the Office of the Executive Director of the Commission;
- (2) Deleting section 12 of the measure;
- (3) Adding language to section 174C-15(c), Hawaii Revised Statutes, establishing a presumption that a violator's economic and financial conditions allow the payment of the statutory penalty and placing the burden of proof to the contrary on the offender; and
- (4) Adding a provision to repeal subsection (g) of section 174C-62, Hawaii Revised Statutes.

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. 2690, H.D. 2, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Kidani, Fevella).

Judiciary: Ayes, 3; Ayes with Reservations (Elefante). Noes, none. Excused, 2 (Gabbard, Awa).

SCRep. 3794 (Joint) Ways and Means and Judiciary on H.B. No. 1640

The purpose and intent of this measure is to facilitate negotiations on the repricing of classes within a public employment collective bargaining unit.

Specifically, the measure:

- (1) Requires that within thirty days of receipt of a written request from the exclusive representative to negotiate, and at times allowed under the collective bargaining agreement, the employer shall negotiate the repricing of classes within a bargaining unit; and
- (2) Provides that if an employer fails to timely initiate a negotiation or the parties cannot reach an agreement within ninety days after the exclusive representative's written request to negotiate or by January 31 of a year in which the agreement is due to expire, whichever is earlier, an impasse exists and certain impasse procedures shall apply.

Your Committees received written comments in support of this measure from the United Public Workers, Hawaii Government Employee Association, and Hawaii State AFL-CIO.

Your Committees received written comments in opposition to this measure from the Department of Human Resources Development.

Your Committees received written comments on this measure from the Department of Budget and Finance; Department of Human Resources, County of Kauai; and Department of Human Resources, City and County of Honolulu.

Your Committees find that current procedures for the repricing of classes within public employment gives insufficient consideration to employee concerns. Further, the procedures lack both an appeal mechanism and an adjudication process through an impartial review. Accordingly, your Committees find it appropriate to amend these procedures to protect public employees and foster a more collaborative and productive bargaining process.

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. 1640, 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, 9; Ayes with Reservations (Moriwaki). Noes, none. Excused, 4 (Kidani, Shimabukuro, Wakai, Fevella).

Judiciary: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Awa).

SCRep. 3795 Ways and Means on H.B. No. 1953

The purpose and intent of this measure is to direct the Judicial Council to conduct a comprehensive review of the Hawaii Penal Code and recommend any necessary amendments.

Your Committee received written comments in support of this measure from the Department of Corrections and Rehabilitation, Judiciary, ACLU of Hawaii, Community Alliance on Prisons, and three individuals.

Your Committee finds that the Judicial Council's recommendations, based on a comprehensive review, will help the State ensure that the Hawaii Penal Code is consistent and proportional; aligns with evidence-based strategies and best practices; responds appropriately to offenders who have mental illnesses; and is effective at deterring crime, reducing recidivism, and providing restitution to victims.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount to an unspecified sum;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1953, 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. 1953, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3796 Ways and Means on H.B. No. 2374

The purpose and intent of this measure is to make emergency appropriations for collective bargaining cost items for the members of bargaining units (2), (3), (4), (9), (13), and (14) and their excluded counterparts for fiscal biennium 2023-2025.

Your Committee received written comments in support of this measure from the Department of Budget and Finance, Judiciary, University of Hawaii, and Hawaii Government Employees Association.

Your Committee finds that the exclusive representative of collective bargaining units (2), (3), (4), (9), (13), and (14) has been pursuing temporary hazard pay for work performed by government employees during the coronavirus disease 2019 pandemic. Your Committee further finds that this measure provides a vehicle to appropriate moneys for the temporary hazard pay of employees in those collective bargaining units and their excluded counterparts. Your Committee also finds that similar costs for legislative officers and employees, though excluded from collective bargaining, should also be funded.

Your Committee has amended this measure by adding a new part that appropriates moneys to fund Hawaii employer-union health benefits trust fund costs and other cost adjustments for legislative officers and employees.

As affirmed by the record of votes of the members 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. 2374, 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. 2374, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Kidani).

SCRep. 3797 Ways and Means on H.B. No. 2504

The purpose and intent of this measure is to amend the cigarette tax and tobacco tax law.

More specifically, this measure:

- (1) Expands the cigarette tax levied upon a wholesaler or dealer under section 245-3, Hawaii Revised Statutes, to include electronic smoking devices and e-liquids;
- (2) Requires 1.0 cent per cigarette, electronic smoking device, and e-liquid, but not more than \$500,000 per fiscal year, to be deposited into the credit of the Tobacco Enforcement Special Fund;
- (3) Repeals research expenses as an authorized use of funds from the Hawaii Cancer Research Special Fund;
- (4) Prohibits the Cancer Center of Hawaii's Early Clinical Trial Program from receiving moneys from the Hawaii Cancer Research Special Fund; and
- (5) Requires the University of Hawaii to submit an annual report to the Legislature on the financial status of the Early Clinical Trial Program.

Your Committee received written comments in support of this measure from the University of Hawaii Cancer Center, Compassion for Cancer Caregivers, Hawaii Pacific Health, Hawaii Primary Care Association, Hawaii Substance Abuse Coalition, Waianae Coast Comprehensive Health Center, and four individuals.

Your Committee received written comments in opposition to this measure from ABC Stores, Hawaii Smokers Alliance, and three individuals.

Your Committee received written comments on this measure from the Department of the Attorney General, Department of Health, Department of Taxation, American Cancer Society Cancer Action Network, and Tax Foundation of Hawaii.

Your Committee finds that, according to the United States Surgeon General, increasing the price of tobacco products is the single most effective way to reduce consumption. Your Committee also finds that increases in cigarette and tobacco taxes have historically been associated with reducing youth and young adult tobacco use and increasing adult cessation, which contributes to lowering chronic disease and health care spending, including Medicaid spending, in the State.

Your Committee has amended this measure by:

- (1) Clarifying that tax revenues deposited into the Hawaii Cancer Research Special Fund shall not be used for early clinical trials; and
- (2) Deleting language that would have:
 - (A) Repealed research expenses as an authorized use of funds in the Hawaii Cancer Research Special Fund;
 - (B) Prohibited the Cancer Center of Hawaii's Early Clinical Trial Program from receiving moneys from the Hawaii Cancer Research Special Fund; and
 - (C) Required the University of Hawaii to submit an annual report to the Legislature on the financial status of the Early Clinical Trial 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. 2504, 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. 2504, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3798 Ways and Means on H.B. No. 1886

The purpose and intent of this measure is to amend the authorized uses of moneys in the reduced ignition propensity cigarette program special fund.

More specifically, this measure authorizes the State Fire Council to use moneys in the special fund to:

- (1) Defray the cost of statewide fire prevention, education, life safety, and preparedness programs; and
- (2) Hire administrative personnel.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources.

Your Committee received written comments on this measure from the Department of the Attorney General and Hawaii State Fire Council.

Your Committee finds that authorizing the use of the reduced ignition propensity cigarette program special fund to support the State Fire Council and its programs and activities will provide the Council with additional funding to better protect life, property, and the environment in the State.

Your Committee has amended this measure by changing the effective date from July 1, 3000, to upon its approval.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1886, 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. 1886, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Kidani).

SCRep. 3799 Ways and Means on H.B. No. 2420

The purpose and intent of this measure is to ensure the availability of funding for efforts to reduce the number of applicants on the Department of Hawaiian Home Lands waitlist.

Specifically, the measure:

- (1) Establishes a temporary Act 279 special fund to be used by the Department of Hawaiian home lands to fulfill its fiduciary duties to beneficiaries of the Hawaiian Homes Commission Act and Act 279, Session Laws of Hawaii 2022;
- (2) Amends Act 279, Session Laws of Hawaii 2022, to provide that any unexpended or unencumbered moneys from the Act's appropriation shall lapse to the Act 279 special fund on June 30, 2024;
- (3) Appropriates unspecified moneys from the Act 279 special fund for the purposes of the special fund; and
- (4) Abolishes the Act 279 special fund on June 30, 2026, and provides that any unexpended and unencumbered balance shall lapse to the general fund.

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 on this measure from the Department of Budget and Finance, Department of the Attorney General, and Tax Foundation of Hawaii.

Your Committee notes that Act 279, Session Laws of Hawaii 2022, appropriated \$600,000,000 from the general fund to the Department of Hawaiian Home Lands to reduce the number of applicants on the Department's waitlist. However, your Committee recognizes that the Act's provision that any unencumbered moneys would lapse to the general fund on June 30, 2025, is inconsistent with article VII, section 11, of the Hawaii State Constitution, which provides in part that no general fund appropriation shall be made for a period exceeding three years. Accordingly, your Committee finds that this measure is an appropriate mechanism for the State to maintain the intent of Act 279 while operating according to constitutional requirements.

Your Committee further finds that opportunities exist to generate additional revenue from lands of the Department of Hawaiian Home Lands that can support and expand long-term funding for housing and services for beneficiary families, such as potential low-heat geothermal energy generation in Waimanalo, Oahu, and other similar opportunities that should be explored.

Your Committee has amended this measure by:

- (1) Providing that one of the uses of moneys in the Act 279 special fund includes exploring and developing opportunities to generate additional revenue from lands the Department of Hawaiian Home Lands controls to fulfill certain fiduciary duties;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2420, 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. 2420, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3800 Ways and Means on H.B. No. 2499

The purpose and intent of this measure is to designate the Chief Financial Officer of the University of Hawaii to act as the University of Hawaii's chief procurement officer.

Your Committee finds that designating the Dean of the College of Engineering as the University of Hawaii's chief procurement officer will ensure that the university continues to conduct construction procurements in a compliant, efficient, and transparent manner.

Your Committee has amended this measure by:

- (1) Amending section 103D-203, Hawaii Revised Statutes, to designate the Dean of the College of Engineering as the University of Hawaii's chief procurement officer;
- (2) Inserting repeal and reenactment instructions into the effective date section of the bill to clarify that the Dean of the College of Engineering shall remain the University of Hawaii's chief procurement officer after section 103D-203, Hawaii Revised Statutes, is repealed and reenacted pursuant to Act 8, Special Session Laws of Hawaii 2021, and this measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2499, 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. 2499, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3801 Ways and Means on H.B. No. 1861

The purpose and intent of this measure is to provide for the use of Hawaiian diacritical markings on motor vehicle number plates issued in the State.

More specifically, this measure:

- (1) Requires the use of an 'okina in the word "Hawai'i" and authorizes the use of all uppercase letters, all lowercase letters, or initial capital letters on all number plates issued on or after January 1, 2025;
- (2) Limits issuance of special number plates for environmental conservation to electric vehicles; and
- (3) Specifies that special number plates for environmental conservation do not require the use of the phrase "Aloha State".

Your Committee received written comments in support of this measure from the Department of Finance of the County of Hawaii.

Your Committee finds that requiring the use of an 'okina on number plates will help the State to promote to the public the proper meaning, spelling, and pronunciation of the word "Hawai'i". Your Committee also finds that limiting to electric vehicles the issuance of special number plates for environmental conservation will help to better align the purpose of the special number plates with the vehicles that will bear the special number plates.

Your Committee has amended this measure by:

- (1) Clarifying that the designs for special number plates for environmental conservation may, but shall not be required to, bear the words "Aloha State"; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1861, 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. 1861, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Kidani).

SCRep. 3802 (Joint) Ways and Means and Commerce and Consumer Protection on H.B. No. 2339

The purpose and intent of this measure is to amend the State's laws relating to 911 services.

More specifically, the measure:

- (1) Repeals the word "enhanced" from statutory references to enhanced 911 services, including the title of the State of Hawaii Enhanced 911 Board, to authorize the State to fund all 911 technologies; and
- (2) Authorizes the State of Hawaii 911 Board to employ staff, in addition to the executive director, who are exempt from chapters 76 and 89, Hawaii Revised Statutes.

Your Committees received written comments in support of this measure from the Public Utilities Commission, Hawaii Office of Enterprise Technology Services, State of Hawaii Enhanced 911 Board, and Maui Police Department.

Your Committees find that the phrase “enhanced 911 services” refers to a specific, now antiquated, technology. Repealing the word “enhanced” will facilitate improvements to 911 communications and provide residents with faster access to emergency services by allowing the State to utilize modern emergency communication technologies. Your Committees further find that exempting Board employees from the State’s civil service and collective bargaining laws will allow the Board to recruit and retain qualified persons to maintain its operations.

Your Committees have amended this measure by changing the effective date to July 1, 2024.

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 H.B. No. 2339, 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. 2339, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Aquino, Wakai).

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3803 (Joint) Ways and Means and Judiciary on H.B. No. 2686

The purpose and intent of this measure is to expand the powers of the Hawaii Property Insurance Association and reactivate the Hawaii Hurricane Relief Fund to help to stabilize the property insurance market in the State.

Your Committees received written comments in support of this measure from the Hawaii Green Infrastructure Authority; Hawaii Bankers Association; Hawaii First Realty, LLC; Hawaii Insurers Council; Holomua Collaborative; Honolulu Tower Association of Apartment Owners; Mortgage Bankers Association of Hawaii; and one individual.

Your Committees received written comments in opposition to this measure from American Property Casualty Insurance Association and one individual.

Your Committees received written comments on this measure from the Department of Commerce and Consumer Affairs, Department of Land and Natural Resources, Department of Taxation, Grassroot Institute of Hawaii, Hawaii REALTORS, Land Use Research Foundation of Hawaii, Maui Chamber of Commerce, State Farm, and Tax Foundation of Hawaii.

Your Committees find that the State’s rising disaster risks and increasingly unpredictable property insurance market necessitate legislative action to stabilize the property insurance market in the State to ensure that property owners can access affordable property insurance coverage.

Your Committees note that a new board may be necessary for the management of a new condominium insurance fund.

Your Committees have amended this measure by deleting its contents and inserting language requiring and appropriating moneys for the Insurance Commissioner to conduct a study relating to the stabilization of property insurance in the State.

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. 2686, 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. 2686, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Kidani, Fevella).

Judiciary: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Awa).

SCRep. 3804 Ways and Means on H.B. No. 2774

The purpose and intent of this measure is to modify certain benchmark goals and the timeline for the Department of Education to provide locally-sourced agricultural and food products.

Your Committee received written comments in support of this measure from the Hawaii Department of Education, Hawaii Ulu Cooperative, Hawaii Alliance for Progressive Action, Hawaii Farm Bureau, Ulupono Initiative, Chamber of Commerce Hawaii, Hawaii Food + Policy, and four individuals.

Your Committee received written comments on this measure from the Hawaii Department of Agriculture and one individual.

Your Committee finds that this measure will help the State meet its food sustainability goals by resolving discrepancies between the locally sourced food benchmarks for the Department of Education and those of other state entities.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2774, H.D. 2, 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. 3805 Ways and Means on H.B. No. 2626

The purpose and intent of this measure is to specify certain findings that the Board of Land and Natural Resources must make in order to lease a government-owned Hawaiian fishpond.

Your Committee received written comments in support of this measure from the Office of Hawaiian Affairs, Hawaii Alliance for Progressive Action, Kuaaina Ulu Auamo, Nature Conservancy, and three individuals.

Your Committee finds that the specific findings required by this measure will streamline the process for the repair, restoration, maintenance, and operation of traditional Hawaiian fishponds while also prioritizing traditional Native Hawaiian practices that are essential to the health of the fishponds.

As affirmed by the record of votes of the members 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. 2626, 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 (Kidani, Fevella).

SCRep. 3806 Ways and Means on H.B. No. 2743

The purpose and intent of this measure is to reduce the number and environmental impact of cesspools in the State.

More specifically, this measure:

- (1) Requires the University of Hawaii Water Resources Research Center and the University of Hawaii Sea Grant College Program to develop an overlay with the Hawaii Cesspool Prioritization Tool to identify specific priority areas in which the county sewer system or other centralized treatment system could most feasibly be expanded or constructed to reduce or eliminate cesspools before January 1, 2050;
- (2) Authorizes the counties to designate sewer improvement districts;
- (3) Beginning July 1, 2025, authorizes the counties to assess a cesspool pollution fee on real properties containing a cesspool;
- (4) Authorizes each county to establish a county cesspool closure and mitigation special fund;
- (5) Authorizes the counties to use cesspool pollution fee revenues or other revenues, including real property tax revenues, for certain activities that eliminate, reduce, or mitigate the impacts of cesspools, including the expansion of county sewer systems and the issuance of grants and low-interest loans to property owners; and
- (6) Makes an appropriation.

Your Committee received written comments in support of this measure from the Department of Health; Department of Land and Natural Resources; Hawaii State Association of Counties; Hawaii County Council; Hawaii Reef and Ocean Coalition; Maui Chamber of Commerce; Oceanic Preservation Society; Public Access to Sunscreens Coalition; Surfrider Foundation, Hawaii Region; WAI: Wastewater Alternatives & Innovations; and eight individuals.

Your Committee received written comments on this measure from Hawai'i Association of REALTORS® and the Tax Foundation of Hawaii.

Your Committee finds that Hawaii has approximately eighty-three thousand cesspools that discharge an estimated fifty million gallons of untreated sewage into the State's groundwater and surface waters every day. Your Committee also finds that, although the counties are responsible for constructing and maintaining wastewater systems, the State presently does not require the counties to develop wastewater management plans, nor are the counties required to identify neighborhoods that could be connected to existing and planned wastewater treatment facilities. Due to this lack of formal wastewater management planning, individual landowners, the counties, and the Department of Health currently do not know which cesspools are situated in areas that will eventually be connected with existing and proposed county wastewater facilities, and when those connections can be made.

As affirmed by the record of votes of the members 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. 2743, H.D. 2, 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. 3807 Ways and Means on H.B. No. 2399

The purpose and intent of this measure is to increase, from one to two, the number of public library system administrative assistants who are exempt from civil service.

Your Committee received no written comments on this measure.

Your Committee recognizes that Act 88, Session Laws of Hawaii 2021, created a new administrative assistant position in the Hawaii State Public Library System. Although the new position was intended to be permanently exempt from civil service, no corresponding amendment to statutory law was made at the time. Your Committee finds it appropriate to correct this oversight, as the exempt status for the position is essential to ensure that any hired individual has the requisite skills and experience necessary to manage library facilities statewide.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2399, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

SCRep. 3808 Ways and Means on H.B. No. 500

The purpose and intent of this measure is to appropriate moneys to the Department of Education for various educational opportunities and extracurricular programs for students.

Your Committee received written comments in support of this measure from the Department of Education; the Chief of Ocean Safety for the City and County of Honolulu; Hawaii High Schools Surfing; Kai Loa, Inc.; the Outrigger Duke Kahanamoku Foundation; Ke Kula o Samuel M. Kamakau, LPCS; Leilehua High School's Mules Surf Team; and two individuals.

Your Committee finds that competitive sports and other extracurricular activities help students develop character, form bonds with other students, and learn ways of facing challenges. Accordingly, your Committee finds it appropriate for the State to support these activities, which are part of providing students with a well-rounded education.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 500, H.D. 1, 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. 3809 Ways and Means on H.B. No. 1881

The purpose and intent of this measure is to update the maximum administrative fine amounts for violations of laws relating to standards of conduct and lobbyists.

Your Committee received written comments in support of this measure from the Hawaii State Ethics Commission.

Your Committee finds that Hawaii currently has one of the lowest administrative fines for ethics violations in the United States. Your Committee further finds that increasing the maximum fine amount will help to increase the public's confidence in government institutions.

As affirmed by the record of votes of the members 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. 1881, H.D. 1, 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. 3810 Ways and Means on H.B. No. 2328

The purpose and intent of this measure is to authorize and appropriate moneys for the Hawaii Housing Finance and Development Corporation to purchase three parcels of land in Honolulu on the island of Oahu for the purposes of providing affordable housing.

Your Committee received written comments in support of this measure from one individual.

Your Committee received written comments in opposition to this measure from Proof Social Club, Skull-Face Books and Vinyl, CARES, J. Dolan's, Honolulu Tenants Union, and numerous individuals.

Your Committee received written comments on this measure from the Disability and Communication Access Board and Hawaii Housing Finance and Development Corporation.

Your Committee finds that Hawaii's shortage of affordable housing continues to grow and that purchasing the three parcels with their associated buildings, as proposed by this measure, will help to increase the Hawaii Housing Finance and Development Corporation's inventory of affordable housing and ensure that the housing units within those parcels remain affordable in perpetuity.

As affirmed by the record of votes of the members 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. 2328, H.D. 2, 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. 3811 Ways and Means on H.B. No. 2802

The purpose and intent of this measure is to propose a constitutional amendment to repeal the Legislature's authority to limit marriage to opposite-sex couples.

Your Committee received written comments in support of this measure from the Office of the Governor; Hawaii Civil Rights Commission; American Association of University Women of Hawaii; Hawaii Health and Harm Reduction Center; Papa Ola Lokahi; Stonewall Caucus of the Democratic Party of Hawaii; Pride at Work – Hawaii; Democratic Party of Hawaii; Hawaii State Teachers Association; Fujiwara and Rosenbaum, LLLC; Hawaii State AFL-CIO; Indivisible Hawaii; ACLU of Hawaii; Qwaves Media; Hawaii State Commission on Fatherhood; Project Vision Hawaii; Change 23 Coalition; Japanese American Citizens League, Honolulu Chapter; Hawaii LGBT Legacy Foundation; and seventy individuals.

Your Committee received written comments in opposition to this measure from six individuals.

Your Committee finds that, in 2013, the United States Supreme Court recognized the right of same-sex couples to marry. Your Committee further finds that the United States Congress enacted the Respect for Marriage Act in 2022, which requires federal, state, and local governments to recognize and respect same-sex marriage.

As affirmed by the record of votes of the members 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. 2802, H.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. 3812 Ways and Means on H.B. No. 1832

The purpose and intent of this measure is to improve efficiency in hiring government employees.

Specifically, this measure:

- (1) Authorizes a state department, division, or agency, rather than the Department of Human Resources Development, to conduct the minimum qualification review of applicants for vacant positions within the department, division, or agency; and
- (2) Requires the Department of Human Resources Development under certain circumstances to provide state departments, divisions, and agencies the applications received for vacancies.

Your Committee received written comments in support of this measure from the Department of Law Enforcement and United Public Workers.

Your Committee received written comments in opposition to this measure from the Department of Human Resources Development.

Your Committee received written comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Health; Hawaii Housing Finance and Development Corporation; and Office of Planning and Sustainable Development.

Your Committee finds that the State is currently facing an unprecedented number of job vacancies. Your Committee further finds that this measure will help to shorten the hiring process and allow departments, divisions, and agencies to expeditiously fill those job vacancies.

Your Committee has amended this measure by:

- (1) Changing the effective date from July 1, 2050, to upon approval; and
- (2) Making a technical nonsubstantive amendment for purposes of clarity and consistency.

Your Committee respectfully requests that your Committee on Conference, should it convene to deliberate on this measure, consider the amendment suggested by the testimony of the Department of Health, which would establish a three-year pilot program within the Department to assess the feasibility of specific reforms to streamline and shorten the hiring 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 H.B. No. 1832, 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. 1832, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (DeCoite, Kidani).

SCRep. 3813 Ways and Means on H.B. No. 2372

The purpose and intent of this measure is to amend Act 164, Session Laws of Hawaii 2023, to provide that out of the Act's general fund appropriation for the solar energy storage loan program for the Hawaii Green Infrastructure Authority (BED138), \$50,000,000, or so much thereof as may be necessary for fiscal year 2023-2024, shall be deposited into the clean energy and energy efficiency revolving loan fund established in section 196-65.5, Hawaii Revised Statutes, to be expended by the Authority to make solar and storage loans, subject to a lapsing date of June 30, 2025.

Your Committee received written comments in support of this measure from Department of Business, Economic Development and Tourism; Hawaii Green Infrastructure Authority; Hawaii Climate Change Mitigation and Adaptation Commission; Hawaii Solar Energy Association; Climate Protectors Hawaii; Ulupono Initiative; 350Hawaii.org; Shifted Energy; Solarize808; Sunspear Energy; PV Tech; and two individuals.

Your Committee finds that directing appropriated moneys to the clean energy and energy efficiency revolving loan fund will facilitate funding for solar and storage installations, which will address immediate financial challenges faced by nearly fifty percent of the State's residents and support underserved ratepayers. Your Committee also finds it appropriate that this measure will enable the Hawaii Green Infrastructure Authority to continually leverage these funds by re-lending and re-investing those same public dollars, thus reaching and benefitting more Hawaii families over time.

Your Committee has amended this measure by:

- (1) Requiring, no later than twenty days prior to the convening of the Regular Session of 2025, the Hawaii Green Infrastructure Authority to submit to the Legislature a report on plans to revolve moneys back into the green infrastructure special fund so that the fund is self-sufficient; 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. 2372, 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. 2372, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (Kidani, Fevella).

SCRep. 3814 Ways and Means on H.B. No. 2563

The purpose and intent of this measure is to require the Hawaii Tourism Authority to develop and publish, through a contract with a third party, a mobile application that includes all online applications and processes, including the collection of any applicable reservation fees, necessary to acquire any permit, license, or reservation that is needed to conduct recreational and commercial activities within the State that are regulated by, or under the jurisdiction of, a state or county agency.

Your Committee received written comments in support of this measure from the Hawaii Tourism Authority, Hawaii Lodging & Tourism Association, Chamber of Commerce Hawaii, Ocean Safety Ohana, and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that creating the mobile application supported by this measure will provide a cohesive digital platform to make the State's recreational and commercial activities more accessible to Hawaii's residents and visitors.

Your Committee has amended this measure by:

- (1) Requiring the Hawaii Tourism Authority to study the feasibility of, and create a plan for, developing the mobile application, rather than requiring the Authority to develop the mobile application, and making conforming amendments;
- (2) Requiring the Hawaii Tourism Authority to submit a report, including the Authority's plans for the mobile application and any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025;
- (3) Deleting provisions establishing a Tourism Enterprise Fund;
- (4) Deleting the appropriation for the Hawaii Tourism Authority to contract for the development of the mobile application and making conforming amendments;
- (5) Inserting language authorizing the Hawaii Tourism Authority to sell or lease the naming rights for the Hawaii Convention Center facility;
- (6) Inserting language exempting the Hawaii Convention Center from certain requirements regarding concessions on public property;
- (7) Inserting language facilitating advertising and marketing in and on the Hawaii Convention Center facility;
- (8) Changing the measure's effective date from July 1, 3000, to July 1, 2024, and providing that Section 2 of the measure shall be repealed on June 1, 2025; and
- (9) 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. 2563, 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. 2563, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 2 (Kidani, Fevella).

SCRep. 3815 (Joint) Ways and Means and Judiciary on H.B. No. 1831

The purpose and intent of this measure is to establish and appropriate moneys for a behavioral health crisis center pilot program.

Your Committees received written comments in support of this measure from the Judiciary, Disability and Communication Access Board, State Council on Mental Health, Office of Hawaiian Affairs, Community Alliance on Prisons, Hawaii Substance Abuse Coalition, Queen's Health System, AlohaCare, Hawaii Psychological Association, and 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 ACLU of Hawaii.

Your Committees find that the behavioral health crisis centers established pursuant to this measure will help provide persons in crisis with faster access to care, limit the use of law enforcement resources for assisting persons in crisis, and reduce visits to hospital emergency rooms for crisis care and mental health services.

Your Committees have amended this measure by:

- (1) Clarifying that the dedicated first responder drop-off area that the measure requires at each behavioral health crisis center should be reserved for law enforcement vehicles and ambulances, as suggested in written comments from the Department of Health;
- (2) Specifying that the moneys appropriated by the measure should also be expended for establishing a triage center for medically monitored detoxification and the treatment of substance abuse disorders and mental illnesses;
- (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 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. 1831, 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. 1831, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.
Ways and Means: Ayes, 10. Noes, none. Excused, 3 (Kidani, Shimabukuro, Fevella).
Judiciary: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Awa).

SCRep. 3816 Ways and Means on H.B. No. 1932

The purpose and intent of this measure is to authorize the Department of Transportation to acquire and hold title to property for certain purposes.

Your Committee received written comments in support of this measure from the Department of Transportation.

Your Committee finds that authorizing the Department of Transportation to directly acquire and hold title to real property will help expedite the completion of transportation projects and improve public transportation safety, efficiency, accessibility, and sustainability 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. 1932, 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 (Kidani, Fevella).

SCRep. 3817 Ways and Means on H.B. No. 2380

The purpose and intent of this measure is to make an emergency appropriation to the Department of Budget and Finance to disburse moneys in the mass transit special fund.

Your Committee received written comments in support of this measure from the Department of Budget and Finance, Oahu Metropolitan Planning Organization, and Honolulu Authority for Rapid Transportation.

Your Committee finds that the emergency appropriation authorized by this measure will allow the Department of Budget and Finance to timely distribute moneys in the mass transit special fund that are anticipated to exceed the existing appropriation for fiscal year 2023-2024.

As affirmed by the record of votes of the members 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. 2380, 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 (Kidani, Fevella).

SCRep. 3818 Ways and Means on H.B. No. 2653

The purpose and intent of this measure is to amend the estate and generation-skipping transfer tax law.

More specifically, this measure:

- (1) Conforms Hawaii estate tax laws to the operative provisions of the Internal Revenue Code to decrease the burden on taxpayers and increase efficiencies in the Department of Taxation's monitoring and auditing of estate tax returns; and
- (2) Establishes an estate tax deduction for the value of closely held business interests that will help ensure that locally-owned family businesses can continue to contribute to the state economy and assist families to retain the ownership interest in their family businesses.

Your Committee received written comments in support of this measure from ABC Stores; Ace Auto Glass; Akita Enterprises, Ltd.; Aloha Beer; ALTRES; Avalon Group; Ben Franklin/Ace Hardware; Big Island Candies; Big Island Subaru; Big Island Toyota; Business Consulting Resources, Inc.; Business Strategies; Cataract and Retina Center of Hawaii; City Mill; Commercial Flooring; Commercial Roofing and Waterproofing Hawaii, Inc.; Continental Assets Management; C.S. Wo/Homeworld; Cushman and Wakefield Chaney Brooks; Easy Music Center; Finance Enterprises, Ltd.; Foodland Supermarket, Ltd.; Goodfellow Brothers; Grassroot Institute of Hawaii; Ground Transportation, Inc.; Hanai Appliance; Hawaii Automobile Dealers Association; Hawaii Forest and Trail; Hawaii National Bank; Hawaii Restaurant Association; Hawaii Self Storage; Hawaii Specialty Vehicles; Hawaii Transportation Association; Hee Hing Restaurant; Highway Inn; HONBLUE, Inc.; Honolulu Disposal Service; House of Finance; HPM Building Supply; Island Insurance Companies; Jade Dynasty Seafood Restaurant; JN Group; Johnny Finney, LLC; Kamaka Ukuleles; Kapaa Solar, LLC; Kauai Vehicle Service Center; KLF Repair Service; KTA Super Stores; Kualoa Ranch; L&L Hawaiian Barbeque; Liliha Bakery; Loyalty Enterprises; MacNaughton, Inc.; Malu Investments; Mana Up Hawaii; Martin and MacArthur; Matt's Transmission Repair; Maui Toyota; McCully Bicycle and Sporting Goods; Meadow Gold Dairies; MW Group; Oahu Veterinary Clinic; Pacific Administrators, Inc.; Petland; Plaza Assisted Living; ProService; Rannikks Auto Specialists; Sae Design Group; Servco Pacific, Inc.; Soderholm Bus and Mobility; Stanford Carr Development; Sun Noodle North America; Title Guaranty of Hawaii; Tony Group; Tori Richard, Ltd.; Truck Shop Maui; Ulupalakua Ranch; United Tire and Recapping Company; Watumull Properties Corp.; Y. Hata; Yummy Restaurant Group; Zippy's Restaurants; and five individuals.

Your Committee received written comments in opposition to this measure from the Center on Budget and Policy Priorities, Democratic Party of Hawaii, Hawaii Appleseed Center for Law and Economic Justice, Hawaii Children's Action Network Speaks!, Indivisible Hawaii Healthcare Team, Institute on Taxation and Economic Policy, Kauai Climate Action Coalition, League of Women Voters of Hawaii, Save Medicaid Hawaii, and numerous individuals.

Your Committee received written comments on this measure from the Department of Taxation.

Your Committee finds that Hawaii has one of the highest estate taxes in the nation, due to its high estate tax rate and low exclusion amount. In contrast, the current federal exclusion amount applicable to gift and estate transfers is more than double the amount of the Hawaii estate tax exclusion amount. This difference has resulted in the need for complicated and technical estate planning and requires the Department of Taxation to expend funds and resources to independently monitor and examine the filings of estate tax returns.

Your Committee notes that the Department of Taxation has requested that the definition of "qualified family-owned business interest" used in the measure be amended to account for entities other than corporations, such as partnerships and limited liability companies.

As affirmed by the record of votes of the members 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. 2653, 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 (Kidani, Fevella).

SCRep. 3819 Ways and Means on H.B. No. 2801

The purpose and intent of this measure is to expand the scope and amend the administration of the commercial property assessed financing program.

Your Committee received written comments in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii Green Infrastructure Authority, Department of Budget and Fiscal Services of the City and County of Honolulu, Department of Research and Development of the County of Hawaii, AARP Hawaii, Aina Nalu Homeowners Association, Aio, CastleGreen Finance, Hawaii Energy, Hawaii Insurers Council, Hawaii Laborers & Employers Cooperation and Education Trust, Hawaii REALTORS, Hawaii Solar Energy Association, Holomua Collaborative, International Brotherhood of Electrical Workers Local Union 1186, Island Insurance Companies, Nuveen Green Capital, Petros PACE Finance, Ulupono Initiative, and several individuals.

Your Committee finds that expanding the scope of the commercial property assessed financing program to include condominiums having six or more units will help the affected condominium owners to access favorable financing so they can afford improvements to satisfy new regulatory requirements and mitigate future damages. Your Committee also finds that the Hawaii Green Infrastructure Authority is a more appropriate entity than the counties to administer this expanded, statewide 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. 2801, 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 (Kidani, Fevella).

SCRep. 3820 Government Operations on Gov. Msg. No. 626

Recommending that the Senate advise and consent to the nomination of the following:

ADMINISTRATOR, STATE PROCUREMENT OFFICE

G.M. No. 626 BONNIE KAHAKUI, for a term to expire in 4 years

Your Committee reviewed the personal history, resume, and statement submitted by Bonnie Kahakui for service as the Administrator of the State Procurement Office.

Your Committee received testimony in support of the nomination for the appointment of Bonnie Kahakui from the Department of Accounting and General Services (DAGS); Department of Agriculture; Department of Health; Department of Human Resources Development; Department of Labor and Industrial Relations; Department of Transportation; Office of Enterprise Technology Services; Hawaii Technology Development Corporation; Hawaii Campaign Spending Commission; Green Door Finance LLC; Civic Initiatives, LLC; Subcontractors Association of Hawaii; and thirty-seven individuals.

Your Committee received testimony in opposition to the nomination for the appointment of Bonnie Kahakui 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. Kahakui's twenty-seven years of experience in procurement across various levels, including nine years of specialized experience in eProcurement, institutional knowledge of the State Procurement Office, and dedication to serving the public qualify her to be appointed as the Administrator of the State Procurement Office.

Ms. Kahakui has been serving as the Acting Administrator of the State Procurement Office since January 2020. In this role, her responsibilities include but are not limited to providing guidance to all governmental bodies relating to procurement; developing, reviewing, and analyzing procurement rules, policies, and procedures; planning, developing, and coordinating implementation of procurement online systems; investigating procurement irregularities of purchasing agencies; and overseeing all operations of the State Inventory Management System and the State Surplus Office. Ms. Kahakui first joined the State Procurement Office in December 2007 as a Purchasing Specialist and thereafter served as an eProcurement Supervisor before becoming the Assistant Administrator in 2019. During her seventeen years of service at the State Procurement Office, Ms. Kahakui has helped execute numerous projects that have increased efficiency, cost-savings, and transparency of procurement in the State, resulting in her receipt of numerous awards, including DAGS Manager of the Year (2020), Government Standards of Excellence Award (2018) for the Hawaii Awards and Notices Database System or HANDS, DAGS Team of the Year (2017) for the Procurement Wizard, and Governor's Team of the Year (2014) for the Hawaii Electronic Procurement (HlePRO) System. Furthermore, under Ms. Kahakui's leadership, the State Procurement Office was able to restore and add seven full-time equivalent (7.0 FTE) positions in 2022; the Procurement Policy Board was finally able to meet to update the administrative rules regarding the public procurement; and the State realized approximately \$36,000,000 in cost savings for fiscal year 2023 through the coordination and consolidation of purchases for certain goods and services across various government agencies. Before joining the State Procurement Office, Ms. Kahakui served as the Travel Manager at the Office of the Comptroller from 1997 to 2007, where she was responsible for, among other things, the implementation and administration of the travel services contract and the procurement and administration of the car rental contract.

Your Committee notes that Ms. Kahakui earned an Associate of Arts degree in Legal Studies from the Kapiolani Community College from which she graduated with honors and a Bachelor of Business Administration degree in Travel Management from the University of Hawaii. Ms. Kahakui is also a member of numerous professional organizations, including but not limited to the National Association of State Procurement Officials, National Institute for Public Procurement, and National Contract Management Association.

Testimony submitted in support of Ms. Kahakui universally speak not only to her extensive knowledge of complex procurement policies and issues, but also her approachability, accessibility, integrity, and flexibility when assisting, advising, and guiding those in the Executive Branch and potential vendors to balance the principles of ethical public procurement. Numerous testifiers who worked

and continue to work closely with her, including eighteen staff members of the State Procurement Office, noted her leadership, exceptional executive and organizational ability, and commitment to excellence.

Your Committee notes from Ms. Kahakui's personal statement that over the next four years, she hopes to continue improving and modernizing procurement processes; establish and standardize procedures on recording and investigating possible procurement violations and procurement reviews; enable ready access to procurement knowledge statewide; create and implement a procurement certification program; ensure that small businesses, including business owned by veterans, Native Hawaiians, and women, are able to effectively participate in contracting opportunities with governmental agencies; and conduct market research for the feasibility of a state travel management contract.

Your Committee believes that Ms. Kahakui, with her extensive procurement experience and institutional knowledge, as well as her dedication to public service, possesses the qualifications to continue to lead the State Procurement Office. Your Committee therefore recommends that Bonnie Kahakui be appointed as Administrator of the State Procurement Office.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3821 Commerce and Consumer Protection on Gov. Msg. Nos. 508 and 612

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF PHYSICAL THERAPY

G.M. No. 508 CYNTHIA TAMAYO, for a term to expire 06-30-2027; and

G.M. No. 612 MICHELE CHEE, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by Cynthia Tamayo and Michele Chee for service on the Board of Physical Therapy.

CYNTHIA TAMAYO

Your Committee received testimony in support of the nomination for the reappointment of Cynthia Tamayo from the Board of Physical therapy and one individual.

Upon review of the testimony, your Committee finds that Ms. Tamayo's background, experience, and dedication to community service qualify her to be reappointed to the Board of Physical Therapy as a licensed physical therapist member. Ms. Tamayo has served as a member of the Board of Physical Therapy since 2019. Since September 2020, she has served as the Chairperson of the Board of Physical Therapy, after having previously served as the Board's Vice Chairperson. Ms. Tamayo is currently employed as the Regional Director of Rehabilitation Services for the Maui Health System, where she oversees clinical physical therapy services in multiple care settings, implements policies for clinical activities, and performs budget and other fiscal management duties. Previously, she gained considerable physical therapy management experience through her work as the Manager of Rehabilitation Services for Shriners Hospitals for Children and, prior to that, with St. Francis Medical Center-West. Your Committee finds that Ms. Tamayo's leadership, longstanding participation as a member of the Board of Physical Therapy, and more than thirty years of physical therapy experience, will continue to enhance the effectiveness of the Board. Your Committee therefore recommends that Cynthia Tamayo be reappointed to the Board of Physical Therapy based on her knowledge, experience, and commitment to public service.

MICHELE CHEE

Your Committee received testimony in support of the nomination for the appointment of Dr. Michele Chee from the Board of Physical Therapy and Shriners Hospitals for Children.

Upon review of the testimony, your Committee finds that Dr. Chee's leadership, background, and experience qualify her to be appointed to the Board of Physical Therapy as a licensed physical therapist member. Dr. Chee has been serving as an interim member of the Board of Physical Therapy and currently works as the Director of Rehabilitation Services for the Shriners Hospitals for Children in Honolulu. In her role, Dr. Chee provides leadership and guidance for the rehabilitation department on staffing, regulatory compliance, and departmental initiatives that support the organization's mission to improve the lives of keiki in need. Previously, Dr. Chee worked as a licensed physical therapist for the organization for eighteen years and obtained her Doctor of Physical Therapy in 2013. In addition to her primary work responsibilities, Dr. Chee is a member of multiple professional organizations, such as the Rehab Executive Council for Shriners Children's and the Hawaii Chapter of the American Physical Therapy Association. Your Committee finds that Dr. Chee, with her extensive management and clinical physical therapy experience that spans more than twenty-five years, will provide a thoughtful and considerate perspective that will enhance the work of the Board of Physical Therapy. Your Committee therefore recommends that Michele Chee be appointed to the Board of Physical Therapy based on her leadership, 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, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 3822 Higher Education on Gov. Msg. Nos. 535 and 623

Recommending that the Senate advise and consent to the nominations of the following:

CENTER FOR NURSING ADVISORY BOARD

G.M. No. 535 JEANETTE AYERS-KAWAKAMI, for a term to expire 06-30-2027; and

G.M. No. 623 SONDRA LEIGGI BRANDON, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by Jeanette Ayers-Kawakami and Sondra Leiggi Brandon for service on the Center for Nursing Advisory Board.

JEANETTE AYERS-KAWAKAMI

Your Committee received testimony in support of the nomination for the appointment of Jeanette Ayers-Kawakami from the Hawai'i State Center for Nursing.

Upon review of the testimony, your Committee finds that Dr. Ayers-Kawakami's experience and knowledge qualify her for appointment to the Center for Nursing Advisory Board as a member who is a nurse with an active Hawaii nursing license. Dr. Ayers-Kawakami has been a registered nurse for over twenty years and has served as a nursing educator for nearly ten years. Presently, Dr. Ayers-Kawakami serves as an Associate Professor and the Director at the University of Hawaii at Hilo School of Nursing, where she oversees and teaches in the Doctor of Nursing Practice, Bachelor of Science in Nursing, and Registered Nurse to Bachelor of Science in Nursing programs. Dr. Ayers-Kawakami holds a Doctor of Nursing Practice, and her research and professional goals focus on addressing rural health disparities in the State. Your Committee notes that Dr. Ayers-Kawakami is an active member of her community, serving as a member of the Hawaii Island Oral Health Coalition Advisory Board and committee member of Parents and Children Together Health Services Advisory Board. Your Committee further finds that Dr. Ayers-Kawakami has an understanding of the roles and responsibilities of board members and that her experience and knowledge as a nursing educator will be assets to the Center for Nursing Advisory Board. Your Committee therefore recommends that Jeanette Ayers-Kawakami be appointed to the Center for Nursing Advisory Board based on her experience, knowledge, and commitment to public service.

SONDRA LEIGGI BRANDON

Your Committee received testimony in support of the nomination for the appointment of Sondra Leiggi Brandon from the Hawai'i State Center for Nursing and The Queen's Health System.

Upon review of the testimony, your Committee finds that Ms. Leiggi Brandon's background and knowledge qualify her for appointment to the Center for Nursing Advisory Board as an advanced practice registered nurse member. Ms. Leiggi Brandon has been an advanced practice registered nurse for over ten years and presently serves as Vice President of Behavioral Patient Care at the Queen's Medical Center and as an outpatient psychiatric/mental health advanced practice registered nurse with Care Hawaii. Ms. Leiggi Brandon previously served as a clinical instructor at the University of Hawaii at Manoa and as a faculty member at the University of Phoenix, where she taught courses in the fundamentals of nursing and psychiatric and mental health nursing. Your Committee notes that Ms. Leiggi Brandon is a decorated, recognized nursing professional and received the 2023 Queen Emma Leadership Award and has appeared as a contributor on various media programs regarding mental health. Your Committee further finds that Ms. Leiggi Brandon understands the roles and responsibilities of board members and that her extensive knowledge of psychiatric and mental health nursing and her professional experience will be assets to the Center for Nursing Advisory Board. Your Committee therefore recommends that Sondra Leiggi Brandon be appointed to the Center for Nursing Advisory Board based on her experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Higher Education that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

SCRep. 3823 Agriculture and Environment on H.C.R. No. 189

The purpose and intent of this measure is to:

- (1) Urge the State to prohibit the introduction of biocontrol agents that might threaten economically important forage grass species;
- (2) Request the State to consider a holistic approach to address wildfire risk by prioritizing fuel reduction of unmanaged lands that can utilize a variety of tools including grazing, creation of fire buffers, mechanical controls, and the consideration of the use of applicable strategies for landscape level control, so long that it takes into consideration economic and ecological implications as well as potential impacts to critical industries; and
- (3) Urge the State to provide for the protection of Hawaii's rangelands and important forage grass species that sustain beef cattle production through funding policies, initiatives, and directives to state agencies to incentivize livestock grazing for the management of forage grasses and other vegetation on lands managed by the State and private sector that are currently undermanaged.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawaii Cattlemen's Council, Inc.; Hawai'i Farm Bureau; Larry Jeffs Farms, LLC; Kealia Ranch LLC; 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 one individual.

Your Committee finds that many forage grass species support livestock production and provide important manageable and sustainable ground cover for the State's rangelands, thereby minimizing bare soil and erosion, maximizing water infiltration, improving soil health, and decreasing the spread of noxious weeds. This measure aims to protect local livestock production and manage the environment of the State by preventing the eradication of these important forage grasses species.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 189, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Rhoads, Awa).

SCRep. 3824 (Joint) Public Safety and Intergovernmental and Military Affairs and Water and Land on H.C.R. No. 3

The purpose and intent of this measure is to urge each county to establish an emergency zoning code for post-disaster use.

Your Committees received testimony in support of this measure from one individual.

Your Committees find that the August 2023 Maui wildfires further exacerbated the State's existing severe housing shortage. Your Committees further find that reportedly damaging over three thousand properties, the wildfires had a large impact on rental housing and housing for low-income families and individuals. As climate change continues to impact the frequency and severity of disasters, your Committees conclude that it is imperative for each county to establish an emergency zoning code that would allow for the siting of temporary shelters such as trailers, recreational vehicles, and prefab housing to be used immediately following a disaster.

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. 3, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.
Public Safety and Intergovernmental and Military Affairs: Ayes, 3; Ayes with Reservations (Wakai). Noes, none. Excused, 2 (Fukunaga, Awa).
Water and Land: Ayes, 5; Ayes with Reservations (McKelvey). Noes, none. Excused, none.

SCRep. 3825 Education on Gov. Msg. Nos. 520, 710, 711, 712, 713, 714, and 735

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF EDUCATION

- G.M. No. 520 KAHELE DUKELOW, for a term to expire 06-30-2026;
- G.M. No. 710 MARY HATTORI, for a term to expire 06-30-2027;
- G.M. No. 711 KEN KURAYA, for a term to expire 06-30-2027;
- G.M. No. 712 WILLIAM ARAKAKI, for a term to expire 06-30-2027;
- G.M. No. 713 WESLEY LO, for a term to expire 06-30-2027. (Expiration date amended to 06-30-2025 by GM734);
- G.M. No. 714 ELYNNE CHUNG, for a term to expire 06-30-2026; and
- G.M. No. 735 ROY TAKUMI, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Kaheleonolani "Kahele" Dukelow, Mary Hattori, Ken Kuraya, William Arakaki, Wesley Lo, Elynne Chung, and Roy Takumi for service on the Board of Education.

KAHELE DUKELOW

Your Committee received testimony in support of the nomination for the appointment of Kahele Dukelow from the Department of Education, Office of Hawaiian Affairs, HawaiiKidsCAN, Hui for Excellence in Education, Native Hawaiian Education Association, Moku o Manokalanipō Kaua'i Council of the Association of Hawaiian Civic Clubs, 'Aha Kauleo, Kimokeo Foundation, Kanaeokana Kula Hawaii Network, and thirty-nine individuals.

Upon review of the testimony, your Committee finds that Ms. Dukelow's experience and knowledge qualify her for appointment to the Board of Education as a member representing Maui County pursuant to section 302A-121, Hawaii Revised Statutes. Ms. Dukelow is an experienced educator and administrator, serving in various roles in both kindergarten through grade twelve and higher education. Ms. Dukelow presently serves as Vice Chancellor of Academic Affairs at the University of Hawaii Maui College. Previously, Ms. Dukelow served as Dean of Arts and Sciences at the University of Hawaii Maui College, Professor of Hawaiian Studies, and various teaching roles within the Department of Education and Kaiapuni Hawaiian language immersion schools. Ms. Dukelow is also an active member of her community, serving as Chairperson and Board Member of 'Aha Kauleo State Council of Public Hawaiian Immersion Schools and Council Member for the Maui and Lāna'i Burial Council. Your Committee further finds that Ms. Dukelow understands the roles and responsibilities of board members, and her experience in higher education administration, classroom teaching, and Hawaiian language immersion education will be assets to the Board of Education. Your Committee therefore recommends that Kahele Dukelow be appointed to the Board of Education based on her experience, knowledge, and commitment to public service.

MARY HATTORI

Your Committee received testimony in support of the nomination for the appointment of Mary Hattori from the Office of the Governor, Department of Education, HawaiiKidsCAN, Hui for Excellence in Education, Micronesians United – Big Island, and twenty-four individuals.

Upon review of the testimony, your Committee finds that Dr. Hattori's experience and background qualify her for appointment to the Board of Education as a member representing the City and County of Honolulu pursuant to section 302A-121, Hawaii Revised Statutes. Dr. Hattori is an experienced higher education instructor and administrator and holds a Doctor of Education from the University of Hawaii at Manoa. Dr. Hattori presently serves as Director of the Pacific Islands Development Program at the East-West Center. Additionally, Dr. Hattori serves as Affiliate and Cooperating Graduate Faculty for various departments at the University of Hawaii at Manoa and Chaminade University. Previously, Dr. Hattori served in various roles at the University of Hawaii System, including as Outreach Director and Associate Specialist Faculty for the Center for Pacific Island Studies. Your Committee notes that Dr. Hattori is also an active member of her community, serving as Board Member of the Mid-Continent Regional Education Lab, Hawai'i Council for the Humanities, and Honolulu Printmakers. Dr. Hattori also serves as Co-Founder and Organizing Partner of the Doris Duke Theatre Annual Cultural Animation Film Festival. Your Committee further finds that Dr. Hattori understands the roles and responsibilities of board members, and her extensive experience in higher education, teaching, and research will be assets to the Board of Education. Your Committee therefore recommends that Mary Hattori be appointed to the Board of Education based on her knowledge, background, and dedication to public service.

KEN KURAYA

Your Committee received testimony in support of the nomination for the reappointment of Ken Kuraya from the Department of Education, HawaiiKidsCAN, Hui for Excellence in Education, and six individuals.

Upon review of the testimony, your Committee finds that Mr. Kuraya's knowledge and experience qualify him for reappointment to the Board of Education as an at-large member pursuant to section 302A-121, Hawaii Revised Statutes. Mr. Kuraya is a retired educator, having dedicated over forty years of service to the Department of Education. Previously, Mr. Kuraya served as Vice Principal at Jefferson, Ala Wai, and Hahaione Elementary Schools; Honolulu District Resource Teacher; Secondary School Teacher at Niu Valley, Kailua, and Kawanakoa Intermediate Schools; and Educational Assistant at Kailua Intermediate and Wilcox Elementary Schools. Mr. Kuraya is also an experienced fiscal administrator for the Department of Education and served as Budget Specialist, Budget Director, and Budget Execution Administrator for over twenty years. Your Committee further finds that Mr. Kuraya has served as a member of the Board of Education since July 2022, and he presently serves as Chairperson of the Board's Finance and Infrastructure Committee. Accordingly, your Committee believes that Mr. Kuraya's prior experience on the Board, as well as his extensive experience as an educator and fiscal administrator, will continue to be assets to the Board of Education. Your Committee therefore recommends that Ken Kuraya be reappointed to the Board of Education based on his experience, knowledge, and commitment to public service.

WILLIAM ARAKAKI

Your Committee received testimony in support of the nomination for the reappointment of William Arakaki from the Department of Education, Kapa'a Middle School, King Kaumuali'i Elementary School, HawaiiKidsCAN, Hui for Excellence in Education, and eighteen individuals.

Upon review of the testimony, your Committee finds that Mr. Arakaki's experience and knowledge qualify him for reappointment to the Board of Education as a member representing Kauai County pursuant to section 302A-121, Hawaii Revised Statutes. Mr. Arakaki is a retired educator and administrator and served the Department of Education for over forty years. After twelve years of teaching, Mr. Arakaki served as Vice Principal of Kapaa High School, Vice Principal of Kapaa Middle School, and Principal of Waimea High School. Additionally, Mr. Arakaki served as Kauai Complex Area Superintendent for thirteen years. Mr. Arakaki is an active member of his community and currently serves as a Board Member of Kaula I Ka Pono Academy, Kauai Adolescent Treatment and Healing Center, and Kauai Fatherhood Council. Your Committee further finds that Mr. Arakaki has served as a member of the Board of Education since July 2020, and he presently serves as Chairperson of the Student Achievement Committee. Accordingly, your Committee believes that Mr. Arakaki's prior experience on the Board, as well as his extensive experience as an educator and administrator, will continue to be assets to the Board of Education. Your Committee therefore recommends that William Arakaki be reappointed to the Board of Education based on his knowledge, experience, and desire to serve his community.

WESLEY LO

Your Committee received testimony in support of the nomination for the appointment of Wesley Lo from the Office of the Governor, Department of Education, HawaiiKidsCAN, Hui for Excellence in Education, Healthcare Association of Hawaii, The Queen's Health System, and thirty-seven individuals.

Upon review of the testimony, your Committee finds that Mr. Lo's knowledge and background qualify him for appointment to the Board of Education as an at-large member pursuant to section 302A-121, Hawaii Revised Statutes. Mr. Lo is an experienced health care executive and presently serves as Chief Executive Officer for Ohana Pacific Health and Hale Makua Health Services. Previously, Mr. Lo served as Regional Chief Executive Officer of the Hawaii Health Systems Corporation Maui Region and Chief Financial Officer of Maui Memorial Medical Center and Maui Radiology Consultants. Your Committee notes that Mr. Lo is an active participant in his community, serving as Director of the Healthcare Association of Hawaii where he presently serves as Chairperson of the Long-Term Care Committee. Mr. Lo also previously served as Chairperson of the Board of the Hawai'i Health Network, Director and Past Chairperson of the Maui Economic Development Board, and Director of the Maui High School Foundation. Further, Mr. Lo previously served as an inaugural member of the Board of Education from 2011 to 2013, and served as Chairperson of the Finance and Infrastructure Committee and Vice Chairperson of the Audit Committee. Your Committee further finds that Mr. Lo understands the roles and responsibilities of board members, and his extensive experience as a financial executive and executive manager will be assets to the Board of Education. Your Committee therefore recommends that Wesley Lo be appointed to the Board of Education based on his experience, knowledge, and commitment to public service.

ELYNNE CHUNG

Your Committee received testimony in support of the nomination for the appointment of Elynne Chung from the Office of the Governor, Department of Education, HawaiiKidsCAN, Hui for Excellence in Education, and twenty-six individuals.

Upon review of the testimony, your Committee finds that Ms. Chung's experience and background qualify her for appointment to the Board of Education as a member representing the City and County of Honolulu pursuant to section 302A-121, Hawaii Revised Statutes. Ms. Chung is an experienced educator and administrator, dedicating over thirty-five years of service to the Department of Education. Ms. Chung formerly served as Principal of Mililani Middle School and Pearl Harbor Kai Elementary School. Ms. Chung also served as Vice Principal of Aiea High School, Makalapa Elementary School, and Radford High School; Central District Educational Specialist, Special Education; and Classroom Teacher and Curriculum Coordinator at Hale Kula Elementary School. Your Committee further finds that Ms. Chung is an active member of her community, serving as Vice President of the University of Hawaii College of Education Alumni Association. Ms. Chung also served as a member of the Department of Education Multi-Track Calendar Committee, Telework Task Force, Bell Schedule Committee, and Committee on Weights. Your Committee notes that Ms. Chung understands the roles and responsibilities of board members, and her extensive experience as an educator and administrator will be assets to the Board of Education. Your Committee therefore recommends that Elynn Chung be appointed to the Board of Education based on her background, knowledge, and dedication to public service.

ROY TAKUMI

Your Committee received testimony in support of the nomination for the appointment of Roy Takumi from the Office of the Governor; Department of Education; HawaiiKidsCAN; Hui for Excellence in Education; Hawaii Ports Maritime Council; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, Its Territories, and Canada, AFL-CIO, CLC, Local 665; Labor Caucus of the Democratic Party of Hawaii; and twelve individuals.

Upon review of the testimony, your Committee finds that Mr. Takumi's background and knowledge qualify him for appointment to the Board of Education as an at-large member and Chairperson pursuant to section 302A-121, Hawaii Revised Statutes. Mr. Takumi served as the Representative of the Thirty-Fifth District in the Hawaii House of Representatives from 1992 to 2022. During his tenure, Mr. Takumi served as Chairperson of the House of Representatives Committee on Education for fifteen years. Previously, Mr. Takumi served as Communications Director for the Hawaii State AFL-CIO; Program Director for the American Friends Service Committee, Hawaii Office; and Community Organizer for Korean immigrants in Osaka, Japan. Your Committee notes that Mr. Takumi remains an active member of his community, serving as Vice-Chairperson for the Education Committee of the States and Labor Education Advisory Council, Commissioner for the Commission on Employment and Human Resources, Chairperson of the Inter-Agency Council Immigration Law Task Force; and Member of American Friends Service Committee, Hawaii Office, Council on Nontraditional Employment for Women, Hawaii Job Training Coordinating Council, and Civil Rights Consortium. Mr. Takumi understands the roles and responsibilities of board members and his background as an elected official and extensive background in education policy and labor advocacy will be assets to the Board of Education. Your Committee therefore recommends that Roy Takumi be appointed to the Board of Education based on his experience, knowledge, and proven commitment to public service.

As affirmed by the records of votes of the members of your Committee on Education that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3826 Hawaiian Affairs on Gov. Msg. No. 567

Recommending that the Senate advise and consent to the nomination of the following:

HAWAIIAN HOMES COMMISSION

G.M. No. 567 WALT KANEAKUA, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Walt Kaneakua for service on the Hawaiian Homes Commission.

Your Committee received testimony in support of the nomination for the appointment of Walt Kaneakua from the Department of Hawaiian Home Lands; Department of Land and Natural Resources; Waimānalo Hawaiian Homes Association; Native Hawaiian Community Development Corporation; The Hawai'i Pacific Foundation, Inc.; Hui O Hana Pono; Ho'omana Pono, LLC; Kaimana Hila; Aloha Travel LLC; and twenty-nine individuals.

Your Committee received testimony in opposition to the nomination for the appointment of Walt Kaneakua from one individual.

Upon review of the testimony, your Committee finds that Mr. Kaneakua's background and dedication to serving the Native Hawaiian community qualify him for appointment to the Hawaiian Homes Commission. Currently, Mr. Kaneakua serves as a Director for the Hawaii Pacific Foundation, a nonprofit Native Hawaiian organization that fosters Native Hawaiian owned and Native Hawaiian serving small businesses, Mr. Kaneakua leads the Board of Directors for the Hawaii Pacific Foundation's Strategic Planning Committee and oversees the partial Hawaii Pacific Foundation portfolio for charitable giving in the Native Hawaiian community. Mr. Kaneakua also teaches as a professor at Pacific Rim Christian University and the U.S. Naval War College at Pearl Harbor.

Your Committee notes that Mr. Kaneakua is dedicated to serving the public and currently sits on the Board of Governors for Shriners for Children (Hawaii). Mr. Kaneakua has also worked as congressional staff for United States Senators Daniel K. Inouye and Mazie Hirono and Congresswoman Tulsi Gabbard. Your Committee further finds that Mr. Kaneakua's extensive knowledge and experience will benefit the Hawaiian Homes Commission. Your Committee therefore recommends that Walt Kaneakua be appointed to the Hawaiian Homes 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 Hawaiian Affairs that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3827 Hawaiian Affairs on H.C.R. No. 32

The purpose and intent of this measure is to request the Office of Hawaiian Affairs to identify the scope of Native Hawaiian cultural appropriateness for the purpose of addressing Native Hawaiian disparities with emphasis on the following priority areas:

- (1) Native Hawaiian economic development needs;
- (2) Native Hawaiian education needs;
- (3) Native Hawaiian health needs; and
- (4) Native Hawaiian housing needs.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, State Council on Developmental Disabilities, and two individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the State, on condition of its admission into the Union, was entrusted with continuously pursuing the betterment of conditions of Native Hawaiians. However, Native Hawaiians continue to confront pronounced disparities and inequities in crucial aspects of life that are the consequences of enduring structural racism rooted in historical injustices. Your Committee further finds that the State lacks a comprehensive guiding document on Native Hawaiian cultural appropriateness to inform decision-making in an inclusive, respectful, and effective manner that is sensitive to Native Hawaiian cultural identity and heritage in accordance with the interests and aspirations of Native Hawaiians. Your Committee therefore believes that the Office of Hawaiian Affairs should conduct a study identifying the scope of Native Hawaiian cultural appropriateness to address the disparities Native Hawaiians face in all aspects of life.

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. 32, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Ihara).

SCRep. 3828 Agriculture and Environment on H.C.R. No. 24

The purpose and intent of this measure is to request the Department of Agriculture to:

- (1) Create a plan to develop an Invasive Species Placard Program (Program) and assess the resources needed to implement the Program; and
- (2) Submit the plan, an assessment of the resources needed to implement the Program, and its recommendations to the Legislature before the Regular Session of 2025.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and two individuals.

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

Your Committee finds that horticultural trade is one of the primary pathways through which invasive pests are spread around the State. Your Committee further finds that color-coded placards, similar to the Department of Health's placard program to ensure food safety and cleanliness in restaurants and other food establishments, could be effective in restricting the movement of plants from a nursery, farm, or agriculture-related business that are infested with invasive pests within each island and across the State. This measure aims to protect the people and delicate environment of the State from invasive pests.

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. 24, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4; Ayes with Reservations (DeCoite, Richards). Noes, none. Excused, 1 (Awa).

SCRep. 3829 Education on Gov. Msg. Nos. 522 and 523

Recommending that the Senate advise and consent to the nominations of the following:

HAWAII TEACHER STANDARDS BOARD

G.M. No. 522 DALE MATSUURA, for a term to expire 06-30-2026; and

G.M. No. 523 DONDRA OZAKI, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Dale Matsuura and Dondra Ozaki for service on the Hawaii Teacher Standards Board.

DALE MATSUURA

Your Committee received testimony in support of the nomination for the appointment of Dale Matsuura from Roosevelt High School, Hawaii State Teachers Association, and Special Parent Information Network.

Upon review of the testimony, your Committee finds that Ms. Matsuura's experience and knowledge qualify her for appointment to the Hawaii Teacher Standards Board as a licensed teacher member who is regularly engaged in teaching at the time of appointment pursuant to section 302A-801, Hawaii Revised Statutes. Ms. Matsuura has been an educator for over twenty years, and she presently serves as Student Services Coordinator for Roosevelt High School. Previously, Ms. Matsuura served as a Curriculum Coordinator and Reading and Science Special Education Teacher at Kawanakoa Middle School. Your Committee further finds that Ms. Matsuura is an active member of her committee, serving as a teacher member of the Special Education Advisory Council, member of the joint Hawaii State Teachers Association and Department of Education Special Education Committee, and School Community Council Parent Member for Manoa School. Your Committee notes that Ms. Matsuura has an understanding of the roles and responsibilities of board members and that her experience and knowledge as a special education teacher and student services professional will be assets to the Hawaii Teacher Standards Board. Your Committee therefore recommends that Dale Matsuura be appointed to the Hawaii Teacher Standards Board based on her experience, knowledge, and commitment to public service.

DONDRA OZAKI

Your Committee received testimony in support of the nomination for the appointment of Dondra Ozaki from the Department of Education, Ewa Elementary School and two individuals.

Upon review of the testimony, your Committee finds that Ms. Ozaki's knowledge and background qualify her for appointment to the Hawaii Teacher Standards Board as a licensed teacher member regularly engaged in teaching at the time of appointment pursuant to section 302A-801, Hawaii Revised Statutes. Ms. Ozaki has been an educator for twenty-three years and presently serves as an Instructional Coach within the Department of Education's Office of Curriculum and Instructional Design. Previously, Ms. Ozaki served in various roles, including as a teacher, new teacher mentor, virtual learning coach, and instructional leader at Ewa Elementary School. Your Committee further finds that Ms. Ozaki is an active member of the educational community, serving as an I-Ready Administrator and Leadership Team member for the State Distance Learning Program, Academic Review and Instructional Leadership Team member, and Professional Learning Community Planner and Facilitator. Your Committee notes that Ms. Ozaki has an understanding of the roles and responsibilities of board members and that her knowledge and background as an instructional coach will be assets to the Hawaii Teacher Standards Board. Your Committee therefore recommends that Dondra Ozaki be appointed to the Hawaii Teacher Standards Board based on her knowledge, experience, and dedication to public service.

As affirmed by the records of votes of the members of your Committee on Education that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Hashimoto, Kidani).

SCRep. 3830 Education on Gov. Msg. Nos. 589 and 590

Recommending that the Senate advise and consent to the nominations of the following:

EARLY LEARNING BOARD

G.M. No. 589 SULMA GANDHI, for a term to expire 06-30-2027; and

G.M. No. 590 STEPHANIE SHIPTON, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Sulma Gandhi and Stephanie Shipton for service on the Early Learning Board.

SULMA GANDHI

Your Committee received testimony in support of the nomination for the appointment of Sulma Gandhi from the Executive Office on Early Learning, Office of Wellness and Resilience, Waimānalo Health Center, Parents and Children Together, and twelve individuals.

Upon review of the testimony, your Committee finds that Dr. Gandhi's experience and knowledge qualify her for appointment to the Early Learning Board as an at-large member pursuant to section 302L-1.6, Hawaii Revised Statutes. Dr. Gandhi holds a Doctorate in Business Administration: Health Care Management and Leadership and is an experienced health and human services administrator, dedicating over twenty years to various aspects of education and child development ranging from newborn health and welfare to higher education student health and wellness services, and home-based intervention to prevent child abuse and neglect. Dr. Gandhi presently serves as the Hawai'i Health Program Officer for the Stupski Foundation. Your Committee further finds that Dr. Gandhi is an active member of her community, serving as a community trainer and member for the East Hawai'i Suicide Prevention Task Force, Hilo Medical Center Foundation, and Early Childhood Action Strategy Safe Families. Your Committee notes that Dr. Gandhi has an understanding of the roles and responsibilities of board members and that her experience and knowledge in human services and early childhood development will be assets to the Early Learning Board. Your Committee therefore recommends that Sulma Gandhi be appointed to the Early Learning Board based on her experience, knowledge, and commitment to public service.

STEPHANIE SHIPTON

Your Committee received testimony in support of the nomination for the appointment of Stephanie Shipton from the Executive Office on Early Learning, Kāne'ohe Elementary School, and six individuals.

Upon review of the testimony, your Committee finds that Ms. Shipton's background and experience qualify her for appointment to the Early Learning Board as a member representing the City and County of Honolulu pursuant to section 302L-1.6, Hawaii Revised Statutes. Ms. Shipton has been an education policy professional for over fifteen years, where she has focused on teacher recruitment and retention, compliance with state and federal education regulations, and environmentalism within education. Ms. Shipton was instrumental in the development of the State's Every Student Succeeds Act implementation plan and policy audit and revision under

the Board of Education. Your Committee further finds that Ms. Shipton is an active member of her community, serving as Board Secretary for the Women's Fund of Hawai'i Board of Directors and as a member of Waipahu High School Teacher Academy Advisory Board and Hope Street Group Hawai'i Advisory Board. Your Committee notes that Ms. Shipton has an understanding of the roles and responsibilities of board members and that her knowledge and background in education policy will be assets to the Early Learning Board. Your Committee therefore recommends that Stephanie Shipton be appointed to the Early Learning Board based on her experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Education that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Kidani).

SCRep. 3831 Education on Gov. Msg. Nos. 715, 716, 717, 718, 720, and 721

Recommending that the Senate advise and consent to the nominations of the following:

EARLY LEARNING BOARD

- G.M. No. 715 JONI ONISHI, for a term to expire 06-30-2028;
- G.M. No. 716 ELAINE YAMASHITA, for a term to expire 06-30-2028;
- G.M. No. 717 ALANNA BAUMAN, for a term to expire 06-30-2028;
- G.M. No. 718 LINDSEY HEATHCOCK, for a term to expire 06-30-2027;
- G.M. No. 720 KAU'I BURGESS, for a term to expire 06-30-2027; and
- G.M. No. 721 CHERYL CUDIAMAT, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Joni Onishi, Elaine Yamashita, Alanna Bauman, Lindsey Heathcock, Kau'i Burgess, and Cheryl Cudiamat for service on the Early Learning Board.

JONI ONISHI

Your Committee received testimony in support of the nomination for the appointment of Joni Onishi from the Executive Office on Early Learning and five individuals.

Upon review of the testimony, your Committee finds that Ms. Onishi's experience and knowledge qualify her for appointment to the Early Learning Board as a member representing the County of Hawaii. Ms. Onishi is an experienced higher education instructor and administrator, dedicating over thirty-five years of service to the University of Hawaii. Presently, Ms. Onishi is Professor Emerita at Hawaii Community College. Previously, Ms. Onishi served as Vice Chancellor for Academic Affairs, Interim Chancellor, Interim Dean for Career and Technical Education, and as a tenured faculty member. Further, Ms. Onishi is a decorated educator and she received the 2010 and 2021 Chancellor's A'ali'i Award and the 2004 University of Hawaii Board of Regents Medal for Excellence in Teaching. Your Committee further finds that Ms. Onishi is an active member of her community, serving as a board member of the Hawaii Economic Opportunity Council, Honpa Hongwanji Hilo Betsuin, and Crime Stoppers. Your Committee notes that Ms. Onishi understands the roles and responsibilities of board members and that her extensive experience in higher education teaching and administration will be assets to the Early Learning Board. Your Committee therefore recommends that Joni Onishi be appointed to the Early Learning Board based on her experience, knowledge, and commitment to public service.

ELAINE YAMASHITA

Your Committee received testimony in support of the nomination for the appointment of Elaine Yamashita from the Executive Office on Early Learning and five individuals.

Upon review of the testimony, your Committee finds that Ms. Yamashita's background and knowledge qualify her for appointment to the Early Learning Board as a member representing the County of Maui. Ms. Yamashita is an experienced early childhood educator and professional, dedicating nearly twenty years to the University of Hawaii. Presently, Ms. Yamashita is Professor Emerita at the University of Hawaii Maui College. Ms. Yamashita served as the Early Childhood Education Program Coordinator and as an instructor in Human Services at the University of Hawaii Maui College. Previously, Ms. Yamashita served as Director and Teacher at Ala Lani Preschool. Your Committee further finds that Ms. Yamashita is an active member of her community, serving as a member of the Hawaii Careers with Young Children Steering Team and Early Care and Education Task Force. Additionally, Ms. Yamashita served as Chairperson of the Academic Senate at the University of Hawaii Maui College and Vice President of Public Policy for the Hawai'i Association for the Education of Young Children State Board. Your Committee notes that Ms. Yamashita understands the roles and responsibilities of board members, and her extensive experience as an early childhood learning instructor and professional will be assets to the Early Learning Board. Your Committee therefore recommends that Elaine Yamashita be appointed to the Early Learning Board based on her knowledge, background, and dedication to public service.

ALANNA BAUMAN

Your Committee received testimony in support of the nomination for the appointment of Alanna Bauman from the Executive Office on Early Learning, Office of the Mayor of the County of Kaua'i, PATCH, Leadership Kaua'i, and eleven individuals.

Upon review of the testimony, your Committee finds that Ms. Bauman's experience and knowledge qualify her for appointment to the Early Learning Board as a member representing the County of Kauai. Ms. Bauman is an experienced community relations and early childhood professional, and she presently serves as the Early Childhood Education System Coordinator for the Kaua'i Planning and Action Alliance and as a Contractor for Early Childhood Action Strategy, where she provides direct services and administrative

support to enhance the health, safety, and well-being of children and families in the County of Kauai. Previously, Ms. Bauman served as the Online Program Coordinator for Leadership Kaua'i, Development Associate for Kaua'i Independent Food Bank, and Committee Clerk for the Hawaii State House of Representatives. Your Committee further finds that Ms. Bauman is an active member of her community, serving as Treasurer for the Hanalei Initiative and as a Research Volunteer for Sustainable San Mateo. Your Committee notes that Ms. Bauman understands the roles and responsibilities of board members, and her experience in early childhood policy, logistics, and administrative and operational support services will be assets to the Early Learning Board. Your Committee therefore recommends that Alanna Bauman be appointed to the Early Learning Board based on her background, knowledge, and desire to serve her community.

LINDSEY HEATHCOCK

Your Committee received testimony in support of the nomination for the appointment of Lindsey Heathcock from the Executive Office on Early Learning.

Upon review of the testimony, your Committee finds that Dr. Heathcock's experience and knowledge qualify her for appointment to the Early Learning Board as a member representing the City and County of Honolulu. Dr. Heathcock is a Pediatrician at Hawaii Pacific Health Community Pediatrics Group and has extensive experience providing direct services that enhance the health, safety, and well-being of children and families. Dr. Heathcock is a decorated member of the medical community and she received the 2021 Resident Teaching Award and won third place for the Hawaii Pediatric Association Research and Education Foundation Resident Research Project Award. Your Committee further finds that Dr. Heathcock is an active member of her community, serving as Resident/Chief Representative for the John A. Burns School of Medicine Department of Pediatrics Diversity, Equity, and Inclusion Task Force and Pediatric Education and Development for Students Committee; Volunteer at Casa el Buen Samaritano Diabetes Clinic; and Board Member of Fondren Apartment Ministry Westbury United Methodist Church. Your Committee notes that Dr. Heathcock understands the roles and responsibilities of board members, and her experience as a practicing pediatrician will be an asset to the Early Learning Board. Your Committee therefore recommends that Lindsey Heathcock be appointed to the Early Learning Board based on her experience, knowledge, and commitment to public service.

KAU'I BURGESS

Your Committee received testimony in support of the nomination for the appointment of Kau'i Burgess from the Executive Office on Early Learning, 'Aha Pūnana Leo, Parents and Children Together, Kamehameha Schools, Kūpuna for the Mo'opuna, and three individuals.

Upon review of the testimony, your Committee finds that Ms. Burgess' knowledge and background qualify her for appointment to the Early Learning Board as an at-large member. Ms. Burgess is an experienced community relations and government affairs professional focused on serving the Native Hawaiian community. Previously, Ms. Burgess served as Government Relations Director for Kamehameha Schools. In her role, Ms. Burgess assisted in the development of early learning programs, including advocacy to expand pre-kindergarten programs statewide, which was achieved through Act 46, Session Laws of Hawaii 2020. Ms. Burgess also served in additional roles at Kamehameha Schools as an Integrated Strategies Manager and Community Relations Specialist. Your Committee further finds that Ms. Burgess is an active member of her community, serving as Chairperson of the Ma'i Movement Hawai'i Board of Directors, Vice Chairperson of Hui Mālama o ke Kai Youth Leadership Development Program Board of Directors, and a member of the King Kamehameha Hawaiian Civic Club and the Aloha Stadium Authority (with a term to expire June 30, 2024). Your Committee notes that Ms. Burgess understands the roles and responsibilities of board members, and her extensive experience in public policy and community affairs will be assets to the Early Learning Board. Your Committee therefore recommends that Kau'i Burgess be appointed to the Early Learning Board based on her knowledge, experience, and dedication to public service.

CHERYL CUDIAMAT

Your Committee received testimony in support of the nomination for the appointment of Cheryl Cudiamat from the Executive Office on Early Learning and one individual.

Upon review of the testimony, your Committee finds that Ms. Cudiamat's experience and knowledge qualify her for appointment to the Early Learning Board as an at-large member. Ms. Cudiamat is an experienced executive manager, and she presently serves as the Chief Executive Officer and Director of Keiki Care Center of Hawaii, Inc., a role she has held for nearly fifteen years. As Chief Executive Officer and Director, Ms. Cudiamat oversees and manages daily operations for the preschool, including licensing, enrollment, marketing, and fiscal responsibilities. Additionally, Ms. Cudiamat also serves as President of Structural Hawaii, Inc.; Chief Executive Officer of Structural Builders Hawaii, Inc.; and General Manager of Pono Entertainment, LLC. In Ms. Cudiamat's other executive management roles, she has demonstrated a wealth of experience to ensure accountability and effective operations. Your Committee notes that Ms. Cudiamat understands the roles and responsibilities of board members, and her experience as an executive manager and business and marketing professional will be assets to the Early Learning Board. Your Committee therefore recommends that Cheryl Cudiamat be appointed to the Early Learning Board based on her experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on 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. 3832 Public Safety and Intergovernmental and Military Affairs on Gov. Msg. Nos. 667, 668, and 669

Recommending that the Senate advise and consent to the nominations of the following:

CORRECTIONAL INDUSTRIES ADVISORY COMMITTEE

- G.M. No. 667 TERRI FUNAKOSHI, for a term to expire 06-30-2028;
 G.M. No. 668 ROBERT MAHAFFEY, for a term to expire 06-30-2028; and
 G.M. No. 669 CHRISTOPHER LUM LEE, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by Terri Funakoshi, Robert Mahaffey, and Christopher Lum Lee for service on the Correctional Industries Advisory Committee.

TERRI FUNAKOSHI

Your Committee received testimony in support of the nomination of Terri Funakoshi to the Correctional Industries Advisory Committee of from the Department of Corrections and Rehabilitation, YWCA O'ahu, and two individuals.

Upon review of the testimony, your Committee finds that Ms. Funakoshi's experience, knowledge, and passion qualify her for appointment to the Correctional Industries Advisory Committee as a member. Your Committee notes that Ms. Funakoshi is currently the Chief Operating Officer of the YWCA O'ahu where she has been able to secure over \$5,500,000 in grant funding over her four years with the organization. Ms. Funakoshi has twenty-three years' experience holding leadership positions that include Executive Vice President of Hilo Hatties, President of the Hawaii Culture & Retail Association, Director of the Patsy T. Mink Center for Business & Leadership, and Director of Operations and Business Development for YWCA O'ahu prior to becoming its Chief Operating Officer. Through these positions, Ms. Funakoshi has developed agency initiatives and innovative programs that deliver successful outcomes and a positive impact on her community. Your Committee therefore recommends that Terri Funakoshi be appointed to the Correctional Industries Advisory Committee based on her experience, knowledge, and leadership skills.

ROBERT MAHAFFEY

Your Committee received testimony in support of the nomination of Robert Mahaffey to the Correctional Industries Advisory Committee of from the Department of Corrections and Rehabilitation.

Upon review of the testimony, your Committee finds that Mr. Mahaffey's experience, knowledge, and leadership skills qualify him for appointment to Correctional Industries Advisory Committee as a member representing the private business sector. Your Committee notes that Mr. Mahaffey is a Retail Operations Manager with over twenty years of combined professional experience in leadership and operational management roles. Before his current role as Retail Operations Manager at Rowley's Red Barn, his previous experience includes Operations Manager for Crystal Tones and Grocery Manager for Harmons. Your Committee further finds that prior to these roles Mr. Mahaffey worked as both an Operations Manager and Administrator for Hawaii Correctional Industries, collaborating with the Department of Public Safety and individual correctional facilities to meet each facility's needs. Your Committee therefore recommends that Robert Mahaffey be appointed to the Correctional Industries Advisory Committee based on his experience, knowledge, and desire to contribute to the community.

CHRISTOPHER LUM LEE

Your Committee received testimony in support of the nomination of Christopher Lum Lee to the Correctional Industries Advisory Committee from the Department of Corrections and Rehabilitation and one individual.

Upon review of the testimony, your Committee finds that Mr. Lum Lee's background, experience, and knowledge qualify him for appointment to the Correctional Industries Advisory Committee as a member representing the private business sector. Your Committee notes that Mr. Lum Lee currently serves as Principal Guard and Chief Administrative Officer for TriSec, Inc. Mr. Lum Lee has over ten years of relevant experience including Security Officer at Private Security Group, Inc.; Budget Analyst for the City and County of Honolulu Department of Budget and Fiscal Services; Program Improvement Specialist for the Office of Hawaiian Affairs; and Juvenile Justice Program Specialist for the Department of Human Services Office of Youth Services. Your Committee further finds that Mr. Lum Lee is also active in his community through his board positions on the City and County of Honolulu Oahu Workforce Development Board, Hawaii Cyber Lions Club and Hawaii Cyber Lions Foundation, and Hawaii Public Health Association. Your Committee therefore recommends that Christopher Lum Lee be appointed to the Correctional Industries Advisory Committee based on his experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
 Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3833 Public Safety and Intergovernmental and Military Affairs on Gov. Msg. No. 687

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII ADVISORY COUNCIL ON EMERGENCY MANAGEMENT

- G.M. No. 687 LISA VARES, for a term to expire 06-30-2028

Your Committee received testimony in support of the nomination for the Hawai'i Advisory Council on Emergency Management of Lisa Vares from the County of Maui Department of Fire and Public Safety.

Upon review of the testimony, your Committee finds that Ms. Vares' experience, dedication, and knowledge qualify her for appointment to Hawai'i Advisory Council on Emergency Management. Your Committee notes that Ms. Vares currently serves as General Manager of Vares Contracting, Inc. where her duties include obtaining permits, estimating engineering costs, and maintaining

insurance for excavation and construction projects throughout the State. Along with her current role, Ms. Vares volunteered with the Hawai'i Emergency Management Agency during the August 2023 Maui wildfires and chairs the County of Maui Fire and Public Safety Commission. Your Committee further finds that Ms. Vares has obtained a variety of certifications and completed trainings with the United States National Park Service, Hawaiian Electric, Federal Aviation Administration, and the United States Joint Chiefs of Staff. Your Committee therefore recommends that Lisa Vares be appointed to the Hawai'i Advisory Council on Emergency Management based on her experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Public Safety 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. Noes, none. Excused, 1 (Awa).

SCRep. 3834 Hawaiian Affairs on Gov. Msg. No. 639

Recommending that the Senate advise and consent to the nomination of the following:

ISLAND BURIAL COUNCIL, ISLANDS OF KAUA'I AND NI'IHAU

G.M. No. 639 WAYNE HARADA JR., for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Wayne Harada Jr. for service on the Island Burial Council, Islands of Kaua'i and Ni'ihau.

Your Committee received testimony in support of the nomination for the appointment of Wayne Harada Jr. from the Department of Land and Natural Resources and one individual.

Upon review of the testimony, your Committee finds that Mr. Harada Jr.'s background and dedication to serving the Native Hawaiian community qualify him for appointment to the Island Burial Council, Islands of Kaua'i and Ni'ihau, as a member. Mr. Harada Jr. is currently an educator at the Kanuikapono Public Charter School Luna Ho'okele 'Ike Hawai'i where his responsibilities include planning and implementing culturally relevant units of Hawaiian culture and traditions, instructing Hawaiian studies and language using a project based learning approach, implementing indigenous Hawaiian culture in all aspects of learning and teaching, and planning and implementing community engagement events deeply rooted in Hawaiian culture. Your Committee notes that Mr. Harada Jr. is a traditional Hawaiian practitioner of hula, fishing, and farming, and speaks the Hawaiian language. Your Committee further finds that Mr. Harada Jr. thoroughly understands the roles and responsibilities of Council members and his knowledge of traditional Hawaiian culture and practices will be an asset to the Island Burial Council, Islands of Kaua'i and Ni'ihau. Your Committee therefore recommends that Wayne Harada Jr. be appointed to the Island Burial Council, Islands of Kaua'i and Ni'ihau based on his knowledge, background, 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, 5. Noes, none. Excused, none.

SCRep. 3835 Labor and Technology on Gov. Msg. No. 528

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN

G.M. No. 528 BLANCHE MATSUYAMA, for a term to expire 06-30-2027

Your Committee reviewed the personal history and resume submitted by Blanche Matsuyama for service on the Board of Trustees of the Deferred Compensation Plan.

Your Committee received testimony in support of the nomination for the appointment of Blanche Matsuyama from the Department of Human Resources Development, one member of the Board of Trustees of the Deferred Compensation Plan, and Mayor of the County of Kauai.

Upon review of the testimony, your Committee finds that Ms. Matsuyama's experience, knowledge, and proven leadership on the Board of Trustees of the Deferred Compensation Plan qualify her for appointment to the Board as a public employee member. Your Committee notes that Ms. Matsuyama has served as the Managing Director of the County of Kauai since August 2023, managing fourteen departments and a budget of more than \$300,000,000. Ms. Matsuyama has been an auditor since 2004 and possesses a wealth of knowledge in auditing and financial management. Your Committee further finds that Ms. Matsuyama is an active member in a number of professional organizations, including serving in multiple positions within the Kauai Economic Development Board since 2011. Ms. Matsuyama has been serving on the Board of Trustees of the Deferred Compensation Plan since 2020, and her leadership and extensive experience in financial management and financial reporting functions will continue to be assets to the Board. Your Committee therefore recommends that Blanche Matsuyama be appointed to the Board of Trustees of the Deferred Compensation Plan based on her 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, 5. Noes, none. Excused, none.

SCRep. 3836 Labor and Technology on Gov. Msg. No. 529

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII LABOR RELATIONS BOARD

G.M. No. 529 STACY MONIZ, for a term to expire 06-30-2029

Your Committee reviewed the personal history, resume, and statement submitted by Stacy Moniz for service on the Hawaii Labor Relations Board.

Your Committee received testimony in support of the nomination for the appointment of Mr. Moniz from the Department of Labor and Industrial Relations; Office of the Mayor of the County of Kauai; Hawai'i Labor Relations Board; Hawaii State Teachers Association; United Public Workers, AFSCME Local 646, AFL-CIO; Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO; University of Hawaii Professional Assembly; ADR Hawaii, Inc.; American Federation of State, County and Municipal Employees, AFL-CIO; Hawaii State AFL-CIO; Sailors Union of the Pacific; State of Hawaii Organization of Police Officers; International Longshore and Warehouse Union, Local 142; Hawaii Ports Maritime Council; Hawai'i Nurses' Association-OPEIU Local 50; IASTE Local 665; Law Offices of Michael Jay Green, Attorney at Law; Broderick Dispute Resolution LLC; and twenty individuals.

Your Committee received testimony in opposition to the nomination for the appointment of Stacy Moniz from one individual.

Upon review of the testimony, your Committee finds that Mr. Moniz's background and extensive experience in the area of public sector unions qualify him to be nominated for appointment to the Hawaii Labor Relations Board. Your Committee notes that Mr. Moniz has been serving on the Hawaii Labor Relations Board as an interim member since August 2023. Prior to that, Mr. Moniz served as an arbitrator with the Hawaii Labor Relations Board from 2015 to 2023, and as the Advocacy Chief for the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO (HGGEA) from 2017 to 2023. During his tenure with the HGGEA, Mr. Moniz acted as the primary representative for HGGEA members in labor arbitrations and selected grievance procedures, and appeared numerous times before the Hawaii Labor Relations Board, representing individuals and classes in labor disputes. Your Committee also notes that Mr. Moniz earned a Juris Doctor degree from the University of Hawaii William S. Richardson School of Law, and testimony submitted by the Hawaii Labor Relations Board attests to his understanding and knowledge of the relevant laws and procedures, judicial decorum, and temperament of restraint. Therefore, your Committee recommends that Stacy Moniz be appointed to the Hawaii Labor Relations Board based on his knowledge and experience.

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, 5. Noes, none. Excused, none.

SCRep. 3837 Labor and Technology on Gov. Msg. No. 531

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII WORKFORCE DEVELOPMENT COUNCIL

G.M. No. 531 TUIA'ANA SCANLAN, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Tuia'ana Scanlan for service on the Hawaii Workforce Development Council.

Your Committee received testimony in support of the nomination for the appointment of Tuia'ana Scanlan from the Creative Industries Division of the Department of Business, Economic Development & Tourism; Workforce Development Council; Honolulu Film Office; Hawaii Island Film Office; University of Hawaii West Oahu Center for Labor Education and Research; United Public Workers, AFSCME Local 646, AFL-CIO; Council of Hawaii Entertainment Unions; University of Hawaii Professional Assembly; Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO; Pride at Work-Hawai'i; Iron Workers Stabilization Fund; International Brotherhood of Electrical Workers Local Union No. 1186; Hawaii State AFL-CIO; Sailors Union of the Pacific; Hawaii Ports Maritime Council; Hawai'i Nurses' Association-OPEIU Local 50; IATSE Local 665; and twenty-eight individuals.

Upon review of the testimony, your Committee finds that Mr. Scanlan's more than ten years of experience in the State's entertainment industry and commitment to training students and upskilling workers in film, media, and stage craft as the President of IATSE Local 665, the labor organization representing entertainment technicians in the State, qualify him to be nominated for appointment to the Hawaii Workforce Development Council as a member representing labor organizations and workforce training organizations. Your Committee notes that Mr. Scanlan has been serving as the President of IATSE Local 665 since 2019 and as the organization's International and District Delegate since 2013. Prior to becoming the President, Mr. Scanlan served in various positions within IATSE Local 665, including Vice President and Executive Board Member. Mr. Scanlan has extensive experience in the State's entertainment industry, gained through his work on the sets of notable films and projects including Hawaii Five-O, Jurassic World, and Magnum P.I. Your Committee further notes testimony attesting to Mr. Scanlan's leadership skills, deep understanding of the challenges faced by the State's workforce, passion for preserving and honoring Hawaii's culture, and commitment to enhancing his knowledge in the field of workforce development, evidenced by his current enrollment in the Labor Studies Certificate Program at the University of Hawaii West Oahu Center for Labor Education and Research. Therefore, your Committee recommends that Tuia'ana Scanlan be appointed to the Hawaii Workforce Development Council based on his experience, knowledge, and dedication to developing the State's entertainment industry workforce.

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, 5. Noes, none. Excused, none.

SCRep. 3838 Labor and Technology on Gov. Msg. No. 658

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII RETIREMENT SAVINGS BOARD

G.M. No. 658 BRIAN TANIGUCHI, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Brian Taniguchi for service on the Hawaii Retirement Savings Board.

Your Committee received testimony in support of the nomination for the reappointment of Brian Taniguchi from the Department of Labor and Industrial Relations; Hawaii Retirement Savings Board; Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO; United Public Workers, AFSCME Local 646, AFL-CIO; AARP Hawaii'i; Hawaii State AFL-CIO; Sailors Union of the Pacific; Hawaii Port Maritime Council; Hawai'i Nurses' Association-OPEIU Local 50; IATSE Local 665; and three individuals.

Upon review of the testimony, your Committee finds that Senator Taniguchi's background, dedication to serving the public, and extensive knowledge on the Hawaii Retirement Savings Program qualify him to be nominated for reappointment to the Hawaii Retirement Savings Board as a member who is a retiree who resides in Hawaii, representing retirees in Hawaii. Senator Taniguchi has over forty years of experience as an elected official in the State serving in both the House of Representatives and Senate. Prior to his retirement in 2022, Senator Taniguchi served as the Chair of the Senate Committee on Labor and Culture and the Arts, and therefore, has a comprehensive understanding of the challenges and opportunities facing Hawaii's workforce and retirees. Your Committee notes that Senator Taniguchi was instrumental in the establishment of the Hawaii Retirement Savings Program, including introducing Senate Resolution No. 76, Regular Session of Hawaii 2021, which created the Hawaii Retirement Savings Task Force to assess the feasibility of establishing the program in the State; serving as a member of the task force; and introducing and advocating for Act 296, Session Laws of Hawaii 2022, which established the program under state law. Your Committee further notes that Senator Taniguchi has been serving on the Hawaii Retirement Savings Board since 2023, and finds that his thorough understanding of the legislation that established the Hawaii Retirement Savings Program and the legislative intent behind it will continue to be critical to the successful development and implementation of the program. Your Committee therefore recommends that Brian Taniguchi be reappointed to the Hawaii Retirement Savings Board based on his knowledge, experience, and dedication to providing workers in the State with a vehicle to build their savings to achieve financial security in retirement.

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, 5. Noes, none. Excused, none.

SCRep. 3839 Commerce and Consumer Protection on Gov. Msg. Nos. 634, 653, and 654

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF PRIVATE DETECTIVES AND GUARDS

G.M. No. 634 JERALD DOLAK, for a term to expire 06-30-2028;

G.M. No. 653 ARTHUR LOGAN, for a term to expire 06-30-2026; and

G.M. No. 654 GAISON ONTAI, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by Jerald Dolak, Arthur Logan, and Gaison Ontai for service on the Board of Private Detectives and Guards.

JERALD DOLAK

Your Committee received testimony in support of the nomination for the appointment of Jerald Dolak from the Department of Commerce and Consumer Affairs, Aqua Aston Hospitality, Hawaii Hotel Visitors Industry Security Association, Kyo-ya Hotels & Resorts, HHVISA, and seven individuals.

Upon review of the testimony, your Committee finds that Mr. Dolak's experience, background, and commitment to public service qualify him for appointment to the Board of Private Detectives and Guards as a licensed guard member. Your Committee notes that Mr. Dolak has held several security and safety roles at Outrigger Resorts in Hawaii since 1988 and is currently the Director of Security and Safety and Corporate Director of Loss Prevention where he directs and oversees the implementation of all security programs and maintains the company's Safety and Health and Emergency Response programs. Mr. Dolak also participates in his community as Chairman of the Citizens Advisory Commission on Civil Defense for the City and County of Honolulu and as President of the Hawaii Hotel Visitor Industry Security Association (HHVISA). Your Committee finds that Mr. Dolak thoroughly understands the role and responsibilities of board members and his experience and knowledge will enhance the effectiveness of the Board of Private Detectives and Guards. Your Committee therefore recommends that Jerald Dolak be appointed to the Board of Private Detectives and Guards.

ARTHUR LOGAN

Your Committee received testimony in support of the nomination for the appointment of Arthur Logan from the Department of Commerce and Consumer Affairs, Maui Police Department, and one individual.

Upon review of the testimony, your Committee finds that Chief Logan's background, knowledge, and dedication to public service qualify him for appointment to the Board of Private Detectives and Guards as a Police Chief member. Your Committee notes that Chief Logan has been serving as the Chief of Police of the Honolulu Police Department since 2022. Prior to his service as Chief of Police, Chief Logan worked as the Adjutant General of the State's Department of Defense, criminal investigator for the Department of the Attorney General, adjunct professor of Criminal Justice and Homeland Security Studies at Hawaii Pacific University, and in several capacities for the Hawaii National Guard, including Chief of Staff from 2008 to 2013. Chief Logan is involved in his community and has served as a board member of the YMCA and the Alaka'i Committee at Saint Louis School in addition to serving on numerous councils, commissions, and task forces. Your Committee finds that Chief Logan thoroughly understands the role and responsibilities of board members and his knowledge and background will enhance the effectiveness of the Board of Private Detectives and Guards. Your Committee therefore recommends that Arthur Logan be appointed to the Board of Private Detectives and Guards.

GAISON ONTAI

Your Committee received testimony in support of the nomination for the appointment of Gaison Ontai from the Department of Commerce and Consumer Affairs and one individual.

Upon review of the testimony, your Committee finds that Mr. Ontai's knowledge, experience, and desire to serve his community qualify him for appointment to the Board of Private Detectives and Guards as a public member. Your Committee notes that Mr. Ontai is an experienced corporate lawyer at The Queen's Health Systems with over a decade of experience in the health care industry. As Corporate Counsel, Mr. Ontai oversees a myriad of legal affairs, including regulatory compliance, contract negotiations, and litigation management. Mr. Ontai is committed to community service, serving as the Director of Aloha Harvest and as a Pro Bono Attorney. Your Committee finds that Mr. Ontai thoroughly understands the role and responsibilities of board members and his experience, knowledge, and perspective as a private citizen will be assets to the Board of Private Detectives and Guards. Your Committee therefore recommends that Gaison Ontai be appointed to the Board of Private Detectives and Guards.

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, 3. Noes, none. Excused, 2 (McKelvey, Richards).

SCRep. 3840 Commerce and Consumer Protection on Gov. Msg. No. 504

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF ACUPUNCTURE

G.M. No. 504 MARTA REBELLA, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Marta Rebella for service on the Board of Acupuncture.

Your Committee received testimony in support of the nomination for the appointment of Marta Rebella from the Board of Acupuncture and one individual.

Upon review of the testimony, your Committee finds that Ms. Rebella's experience, background, and commitment to public service qualify her for appointment to the Board of Acupuncture as a public member. Your Committee notes that Ms. Rebella has decades of experience in human resources and county government. Ms. Rebella also served her community as a board member and President of the Board of Directors of the YWCA of Orange County and has served a previous term on the Board of Acupuncture. Your Committee finds that Ms. Rebella thoroughly understands the role and responsibilities of board members, and her background in human resources and government, along with her willingness to serve the public, will be assets to the Board of Acupuncture. Your Committee therefore recommends that Marta Rebella be appointed to the Board of Acupuncture 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, 3. Noes, none. Excused, 2 (McKelvey, Richards).

SCRep. 3841 Commerce and Consumer Protection on Gov. Msg. No. 509

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF PRIVATE DETECTIVES AND GUARDS

G.M. No. 509 BENJAMIN MOSZKOWICZ, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Benjamin Moszkowicz for service on the Board of Private Detectives and Guards.

Your Committee received testimony in support of the nomination for the appointment of Benjamin Moszkowicz from the Board of Private Detectives and Guards, Mayor of the County of Hawai'i, one member of the Hawai'i County Council, and three individuals.

Upon review of the testimony, your Committee finds that Chief Moszkowicz's background, experience, and dedication to community service qualify him to be appointed to the Board of Private Detectives and Guards as a Chief of Police member. Chief Moszkowicz has served as an interim member of the Board of Private Detectives and Guards since November 2023 and has been an integral contributor to the discussions on various matters facing the Board. Chief Moszkowicz currently serves as the Chief of the Hawaii Police Department where he oversees a staff of four hundred eighty-four sworn personnel and one hundred fifty-six professional team members. Previously, Chief Moszkowicz honorably served the Honolulu Police Department in various capacities for twenty-two years--rising from Metropolitan Police Recruit to Metropolitan Police Major and Division Commanding Officer--and oversaw multiple divisions that are essential to the organization. Testifiers have recognized Chief Moszkowicz as a creative and inspiring leader, with outstanding qualifications and an unwavering dedication to serving the people of Hawaii. Your Committee finds that Chief Moszkowicz's extensive leadership and management skills, and more than two decades of experience in policing, will enhance the work of the Board of Private Detectives and Guards. Your Committee therefore recommends that Benjamin Moszkowicz be appointed to the Board of Private Detectives and Guards based on his knowledge, experience, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 3842 Commerce and Consumer Protection on Gov. Msg. No. 604

Recommending that the Senate advise and consent to the nomination of the following:

HAWAI'I MEDICAL BOARD

G.M. No. 604 ANGELA PRATT, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Angela Pratt for service on the Hawaii Medical Board.

Your Committee received testimony in support of the nomination for the appointment of Dr. Pratt from the Hawaii Medical Board and one individual.

Upon review of the testimony, your Committee finds that Dr. Pratt's experience, background, and commitment to public service qualify her to be appointed to the Hawaii Medical Board as a licensed physician or surgeon member. Dr. Pratt has held a medical license in Hawaii since 2002. For the last twenty-one years, Dr. Pratt has worked in private practice as an obstetrics and gynecology physician at the Kapiolani Medical Center for Women and Children. A proud graduate of the John A. Burns School of Medicine (JABSOM), Dr. Pratt now serves as a faculty member, clinical professor, robotics surgeon obstetrics and gynecology instructor, and co-chairperson of Minimally Invasive Surgery under JABSOM's Department of Obstetrics, Gynecology, and Women's Health. Dr. Pratt also owns and operates the Hawaii Beauty and Wellness Center, Inc., where she provides women's health care and rejuvenation services. In addition to her professional responsibilities, Dr. Pratt is also an active participant in her community and currently serves as a member of numerous internal committees of the Kapiolani Medical Center for Women and Children. Dr. Pratt also serves on the boards of directors for Make-A-Wish Hawaii, Maryknoll School, and Native Hawaiian Chamber of Commerce, among others. Dr. Pratt is also a member of numerous professional organizations and previously served as the President of the Hawaii Medical Association.

Your Committee further notes that Dr. Pratt has served as an interim member of the Hawaii Medical Board since July 2023 and has a thorough understanding of the role and responsibilities of Board members. Your Committee therefore recommends that Angela Pratt be appointed to the Hawaii Medical Board based on her experience, background, 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, none. Excused, 1 (McKelvey).

SCRep. 3843 Commerce and Consumer Protection on Gov. Msg. No. 613

Recommending that the Senate advise and consent to the nomination of the following:

STATE BOARD OF BARBERING AND COSMETOLOGY

G.M. No. 613 RAYNETTE HALL, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Raynette Hall for service on the State Board of Barbering and Cosmetology.

Your Committee received testimony in support of the nomination for the reappointment of Raynette Hall from the State Board of Barbering and Cosmetology and one individual.

Upon review of the testimony, your Committee finds that Ms. Hall's experience, background, and commitment to public service qualify her to be reappointed to the State Board of Barbering and Cosmetology as a licensed beauty operator member. Your Committee notes that Ms. Hall has served as a member of the State Board of Barbering and Cosmetology since her appointment on July 1, 2021,

and she has served as the Board's Vice Chairperson since March 29, 2022. Ms. Hall has held a beauty operator license in Hawaii since 2002 and is the owner and operator of Hapa Heaven Salon & Spa LLC located in Hawaii Kai, Oahu. Ms. Hall also works as a nail technician at Polish on the Go LLC, where, in addition to nail services, she provides training and interview preparation for nail technician applicants. Previously, Ms. Hall gained considerable beauty experience working as a nail technician for The Modern Honolulu, Aveda at Ala Moana, and Paul Brown Salon, among others. Ms. Hall is recognized by her peers as a dedicated professional and strong advocate for the beauty industry and during the coronavirus disease 2019 pandemic, she worked with state and city officials on proposals for the safe reopening of salons and barbershops. Your Committee finds that Ms. Hall's extensive experience as a licensed beauty operator, professional expertise, and commitment to improving the profession, provides an insightful perspective that will continue to enhance the effectiveness of the State Board of Barbering and Cosmetology. Your Committee therefore recommends that Raynette Hall be reappointed to the State Board of Barbering and Cosmetology based on her experience, background, 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, none. Excused, 1 (McKelvey).

SCRep. 3844 Commerce and Consumer Protection on Gov. Msg. No. 655

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF PHYSICAL THERAPY

G.M. No. 655 ROSS LUM, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Ross Lum for service on the Board of Physical Therapy.

Your Committee received testimony in support of the nomination for the appointment of Ross Lum from the Department of Commerce and Consumer Affairs and one individual.

Upon review of the testimony, your Committee finds that Dr. Lum's background, experience, and desire to serve his community qualify him for appointment to the Board of Physical Therapy as a licensed physical therapist member. Your Committee notes that Dr. Lum has been licensed as a physical therapist in the State since 2015 and is also a certified orthopaedic clinical specialist. Dr. Lum holds a Doctorate of Physical Therapy and is a Partner and Clinical Director at JACO Rehab, where he also previously worked as a staff physical therapist. Your Committee finds that Dr. Lum has a thorough understanding of the role and responsibilities of board members as he has chaired the Membership Committee for the American Physical Therapy Association Hawaii Chapter for the past five years. Dr. Lum's knowledge, passion, and commitment to the physical therapy community will enhance the effectiveness of the Board of Physical Therapy and his experience will offer critical insight to the Board. Your Committee therefore recommends that Ross Lum be appointed to the Board of Physical Therapy based on his knowledge, background, and dedication to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (McKelvey, Richards).

SCRep. 3845 Commerce and Consumer Protection on Gov. Msg. Nos. 511, 512, and 513

Recommending that the Senate advise and consent to the nominations of the following:

STATE BOARD OF NURSING

G.M. No. 511 TERRENCE ARATANI, for a term to expire 06-30-2024;

G.M. No. 512 BRADLEY KUO, for a term to expire 06-30-2027; and

G.M. No. 513 SHERI SHIELDS-HANSON, for a term to expire 06-30-2024

Your Committee reviewed the personal histories, resumes, and statements submitted by Terrence Aratani, Bradley Kuo, and Sheri Shields-Hanson for service on the State Board of Nursing.

TERRENCE ARATANI

Your Committee received testimony in support of the nomination for the appointment of Terrence Aratani from the State Board of Nursing, Hawai'i Primary Care Association, and three individuals.

Upon review of the testimony, your Committee finds that Mr. Aratani's background, experience, and dedication to community service qualify him to be appointed to the State Board of Nursing as a public member. Since 2014, Mr. Aratani has been employed as the Chief Executive Officer of the Ko'olauloa Health Center on the North Shore of Oahu, where he oversees the operations, functions, and compliance activities for the health center. Previously, Mr. Aratani proudly served the Hawaii State Senate for over a decade in various roles, including as the Chief of Staff for the Office of the Senate President. An attorney by trade, Mr. Aratani also served as a Staff Attorney for the Insurance Division of the Department of Commerce and Consumer Affairs where he gained considerable experience and knowledge of the various insurance laws and health care systems in Hawaii. Presently, Mr. Aratani remains involved in the local community, serving on the boards of directors of numerous organizations, such as the Honolulu Community Action Program, Epilepsy Foundation of Hawaii, and Hawaii State Federal Credit Union. Your Committee notes that Mr. Aratani has served as an

interim member of the State Board of Nursing since August 2023 and has a thorough understanding of the role and responsibilities of Board members. Your Committee therefore recommends that Terrence Aratani be appointed to the State Board of Nursing based on his background, experience, and dedication to serving his community.

BRADLEY KUO

Your Committee received testimony in support of the nomination for the appointment of Bradley Kuo from the Hawai'i State Center for Nursing, Hawai'i American Nurses Association, Optimum Health and Wellness Hawaii LLC, and two individuals.

Upon review of the testimony, your Committee finds that Dr. Kuo's background, knowledge, and professional experience qualify him to be appointed to the State Board of Nursing as a registered nurse member licensed as an advanced practice registered nurse (APRN) in the State. Dr. Kuo has over thirteen years of experience as a registered nurse and is currently the President and owner of Wellness Partners Hawaii, Inc., an online tele-mental health clinic that strives to increase mental health awareness and accessibility across all Hawaiian islands via the use of technology. In addition, Dr. Kuo works as a Senior Behavioral Health APRN for The Queen's Medical Center where he also serves as the hospital's APRN Fellowship Coordinator. Dr. Kuo obtained his Doctor of Nursing Practice in 2019 and serves as a nursing academic and advocate, having presented various scholarly works on subjects such as critical care for nurses and rural telehealth, and has provided legislative and policy updates to Hawaii nursing community stakeholders. Further, Dr. Kuo is active in numerous professional associations and currently serves on the Hawaii Department of Health's Vaccine Medical Advisory Working Group. Your Committee notes that Dr. Kuo has served as an interim member of the State Board of Nursing since June 2023 and has a thorough understanding of the role and responsibilities of Board members. Your Committee therefore recommends that Bradley Kuo be appointed to the State Board of Nursing based on his knowledge, background, and professional experience.

SHERI SHIELDS-HANSON

Your Committee received testimony in support of the nomination for the appointment of Sheri Shields-Hanson from the State Board of Nursing and one individual.

Upon review of the testimony, your Committee finds that Ms. Shields-Hanson's experience, background, and commitment to public service qualify her to be appointed to the State Board of Nursing as a registered nurse member with expertise in nursing education. Since 2017, Ms. Shields-Hanson has taught full-time as a Nurse Educator for the Assessment Technologies Institute, where she teaches intensive National Council Licensure Examination (NCLEX) preparation courses in all exam areas and specialties of the National Council of State Boards of Nursing Test Plan. Previously, Ms. Shields-Hanson was a Professor at Santa Barbara City College for twenty-five years, where she lectured, provided clinical instruction, advised students, and helped direct and update the clinical practicum for the Associate's Degree in Nursing Program. Prior to that, Ms. Shields-Hanson worked as a Registered Nurse in various hospitals and medical centers for over twenty years and maintains an active Registered Nurse license in both Hawaii and California. Your Committee notes that Ms. Shields-Hanson has served as an interim member of the State Board of Nursing since August 2023 and has a thorough understanding of the role and responsibilities of Board members. Your Committee therefore recommends that Sheri Shields-Hanson be appointed to the State Board of Nursing based on her experience, background, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Commerce and Consumer Protection that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 3846 Commerce and Consumer Protection on Gov. Msg. Nos. 515, 516, and 517

Recommending that the Senate advise and consent to the nominations of the following:

STATE BOARD OF PUBLIC ACCOUNTANCY

- G.M. No. 515 ISABELLA GARY, for a term to expire 06-30-2027;
- G.M. No. 516 WENDELL LEE, for a term to expire 06-30-2027; and
- G.M. No. 517 ROBERT KAWAHARA, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Isabella Gary, Wendell Lee, and Robert Kawahara for service on the State Board of Public Accountancy.

ISABELLA GARY

Your Committee received testimony in support of the nomination for the appointment of Isabella Gary from the State Board of Public Accountancy, Hawai'i Primary Care Association, and one individual.

Upon review of the testimony, your Committee finds that Ms. Gary's experience, background, and commitment to public service qualify her to be appointed to the State Board of Public Accountancy as a public member. Ms. Gary has been employed as the Chief Operating Officer of Ko'olauloa Health Center on the North Shore of Oahu since 2018 where she oversees the monitoring and evaluation of all health center sites and identifies opportunities to improve the health center's efficiency. Ms. Gary also performs the duties of the Chief Compliance Officer on behalf of the organization, monitors federal grants, and acts as a liaison between non-federal funding sources and management to ensure compliance with outcome-based goals. Before being promoted to her executive position, Ms. Gary worked in various roles within the organization, including as the Director of Transformation and Utilization and as a Quality Improvement Officer and Risk Manager. Your Committee finds that Ms. Gary's leadership and management experience, professional expertise, and non-industry background will provide an insightful perspective that will enhance the work of the State Board of Public

Accountancy. Your Committee therefore recommends that Isabella Gary be appointed to the State Board of Public Accountancy based on her experience, background, and commitment to public service.

WENDELL LEE

Your Committee received testimony in support of the nomination for the appointment of Wendell Lee from the State Board of Public Accountancy; Hawaii Society of Certified Public Accountants Board of Directors; Island Plastic Bags, Inc.; Kimberly Jones, CPA; Legacy Works; and thirty-two individuals.

Upon review of the testimony, your Committee finds that Mr. Lee's background, knowledge, and professional experience qualify him to be appointed to the State Board of Public Accountancy as a member in active practice with a current license and permit to practice public accountancy. Mr. Lee has nearly forty years of public accounting experience and has held numerous leadership roles in his profession. Since 2020, Mr. Lee has been the Principal and co-owner of Legacy Works Hawaii, a local full-service trust and probate administration company with over \$150 million in assets under management. Previously, Mr. Lee was the Managing Director at Trustee Administrative Services Hawai'i LLC. Mr. Lee was also a founding partner of Accuity LLP, which successfully transitioned the former Honolulu office of PricewaterhouseCoopers into one of the largest accounting practices in Hawaii. Presently, Mr. Lee also teaches accounting at the University of Hawaii-West Oahu. Mr. Lee has also remained active in the local professional community and is affiliated with the American Institute of Certified Public Accountants and Hawaii Society of Certified Public Accountants, among others. Your Committee notes that Mr. Lee has served as an interim member of the State Board of Public Accountancy since November 2023 and his extensive industry knowledge, professional and leadership experience, and longstanding dedication to public service will provide a valuable perspective that will enhance the work of the Board. Your Committee therefore recommends that Wendell Lee be appointed to the State Board of Public Accountancy based on his background, knowledge, and professional experience.

ROBERT KAWAHARA

Your Committee received testimony in support of the nomination for the appointment of Robert Kawahara from the State Board of Public Accountancy; Maui County Federal Credit Union; Hawaii Society of Certified Public Accountants Board of Directors; Island Plastic Bags, Inc.; Craft 'Ohana LLC; and six individuals.

Upon review of the testimony, your Committee finds that Mr. Kawahara's background, proven leadership, and dedication to community service qualify him to be appointed to the State Board of Public Accountancy as a member in active practice with a current license and permit to practice public accountancy. Mr. Kawahara has been a Certified Public Accountant in Hawaii since 2006. For the last eight years, Mr. Kawahara has worked as a Managing Partner for the Maui public accounting firm Kawahara + Hu LLP. Mr. Kawahara has over twenty-six years of public accountancy experience and has generously shared his accumulated knowledge through his service on numerous boards and associations, such as the Maui Economic Development Board, Maui County Employees Federal Credit Union, and Lahaina Intermediate School Educational Foundation. In addition, Mr. Kawahara has frequently presented on various public accounting subjects -- such as tax planning and financial literacy, among others -- for the benefit of the Maui nonprofit and small business community and remains active in numerous professional and community associations. Your Committee notes that Mr. Kawahara has served as an interim member of the State Board of Public Accountancy since November 2023 and has a thorough understanding of the role and responsibilities of Board members. Your Committee therefore recommends that Robert Kawahara be appointed to the State Board of Public Accountancy based on his background, prior experience, and dedication to community 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, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 3847 Commerce and Consumer Protection on Gov. Msg. Nos. 518 and 651

Recommending that the Senate advise and consent to the nominations of the following:

HAWAII BOARD OF CHIROPRACTIC

G.M. No. 518 RACHEL KLEIN, for a term to expire 06-30-2027; and

G.M. No. 651 JEANNE-MARIE COLOMA, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by Rachel Klein and Jeanne-Marie Coloma for service on the Hawaii Board of Chiropractic.

RACHEL KLEIN

Your Committee received testimony in support of the nomination for the appointment of Rachel Klein from the Hawaii Board of Chiropractic, Hawaii State Chiropractic Association, and one individual.

Upon review of the testimony, your Committee finds that Dr. Klein's experience and knowledge qualify her for appointment to the Hawaii Board of Chiropractic as a licensed chiropractor member. Dr. Klein has been a licensed chiropractor in Hawaii since 2014 and presently serves as the Medical Director of Klein Natural Health and Wellness Center in Hilo. Dr. Klein also serves as an adjunct faculty member at Sonoran University of Health Sciences and National University of Health Sciences, where she teaches courses in clinical neurology, naturopathic medicine, and parenteral therapy. Your Committee notes that Dr. Klein holds a Doctor of Naturopathic Medicine and a Doctor of Chiropractic. Your Committee further finds that Dr. Klein served a prior term on the Hawaii Board of Chiropractic from 2019 to 2023 and has served as the Board's Vice-Chairperson. In addition, Dr. Klein is an active member of her community, serving as Board Member At-Large for the International Board of Functional Neurology, President of the Board of Directors of the Hawaii Society of Naturopathic Physicians, and Alternate Island Director for the Hawaii State Chiropractic

Association. Your Committee therefore recommends that Rachel Klein be appointed to the Hawaii Board of Chiropractic based on her experience, knowledge, and commitment to public service.

JEANNE-MARIE COLOMA

Your Committee received testimony in support of the nomination for the appointment of Jeanne-Marie Coloma from the Department of Commerce and Consumer Affairs.

Upon review of the testimony, your Committee finds that Ms. Coloma's background and desire to serve her community qualify her for appointment to the Hawaii Board of Chiropractic as a public member. Ms. Coloma serves as a Quality Control Inspector where she conducts data analysis of real estate transactions for marketing and management contracts. Ms. Coloma's experience spans roles in quality control, insurance, real estate, and retail management. According to testimony received by your Committee, Ms. Coloma exhibits meticulous attention to detail, effective communication skills, and commitment to excellence. Your Committee notes that Ms. Coloma understands the roles and responsibilities of board members, and her extensive experience in data analysis, customer service, and office management will be assets to the Hawaii Board of Chiropractic. Your Committee therefore recommends that Jeanne-Marie Coloma be appointed to the Hawaii Board of Chiropractic based on her knowledge, background, and dedication to public service.

As affirmed by the records of votes of the members of your Committee on Commerce and Consumer Protection that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (McKelvey, Richards).

SCRep. 3848 Commerce and Consumer Protection on Gov. Msg. Nos. 519 and 614

Recommending that the Senate advise and consent to the nominations of the following:

PEST CONTROL BOARD

G.M. No. 519 JOHN SPEED, for a term to expire 06-30-2027; and

G.M. No. 614 WILLIAM LEE, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by John Speed and William Lee for service on the Pest Control Board.

JOHN SPEED

Your Committee received testimony in support of the nomination for the reappointment of John Speed from the Pest Control Board and Hawaii Pest Control Association.

Upon review of the testimony, your Committee finds that Mr. Speed's background, experience, and dedication to community service qualify him to be reappointed to the Pest Control Board as a licensed pest control operator member. Mr. Speed has served as a member of the Pest Control Board since he was first appointed on July 1, 2021, and currently serves as Chairperson of the Board. Mr. Speed has also previously served as the Pest Control Board's Vice Chairperson and Legislative Liaison. Mr. Speed is the founding President of Kilauea Pest Control, Inc., a termite and general pest control company located in Kailua, Oahu. Mr. Speed has over twenty years of pest control experience and has been licensed as a pest control operator in Hawaii since September 2002. Your Committee finds that Mr. Speed is also an active participant in his local community, serving as the Vice President of the Hawaii Pest Control Association; a member of the U-Group Pest Management Alliance; and as a leader in his church congregation. Your Committee further finds that Mr. Speed's professional expertise, longstanding Board participation, and demonstrated commitment to public service will continue to enhance the work of the Pest Control Board. Your Committee therefore recommends that John Speed be reappointed to the Pest Control Board based on his knowledge, experience, and commitment to public service.

WILLIAM LEE

Your Committee received testimony in support of the nomination for the reappointment of William Lee from the Pest Control Board, Hawaii Pest Control Association, and one individual.

Upon review of the testimony, your Committee finds that Mr. Lee's knowledge, experience, and dedication to the pest control industry qualify him to be reappointed to the Pest Control Board as a licensed pest control operator member. Mr. Lee has served as a member of the Pest Control Board since he was first appointed on an interim basis on January 11, 2021. Mr. Lee is the owner and operator of Will Kill Termites & Pests LLC, a termite and pest extermination company located in Hilo, Hawaii island. Mr. Lee has nearly twenty years of pest control experience and has been licensed as a pest control operator in Hawaii since July 2006. Your Committee finds that Mr. Lee is also actively involved in various community organizations, such as the Hawaii Island Contractor's Association and Hilo Yacht Club. Your Committee finds that Mr. Lee's wealth of professional knowledge, desire to serve the public, and outlook as a neighbor island Board member provides a unique perspective that will continue to enhance the work of the Pest Control Board. Your Committee therefore recommends that William Lee be reappointed to the Pest Control Board based on his 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, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 3849 Commerce and Consumer Protection on Gov. Msg. Nos. 642 and 643

Recommending that the Senate advise and consent to the nominations of the following:

HAWAII MEDICAL BOARD

G.M. No. 642 WESLEY MUN, for a term to expire 06-30-2027; and

G.M. No. 643 MICHAEL JAFFE, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Wesley Mun and Michael Jaffe for service on the Hawaii Medical Board.

WESLEY MUN

Your Committee received testimony in support of the nomination for the reappointment of Wesley Mun from the Hawaii Medical Board.

Upon review of the testimony, your Committee finds that Mr. Mun's background, experience, and dedication to public service qualify him for reappointment to the Hawaii Medical Board as a public member. Your Committee notes that Mr. Mun retired in 2018 after a thirty-eight-year career in health care administration. Mr. Mun has held various roles in the health care field, including the Corrections Health Care Division Administrator at the Department of Public Safety, Health Coverage Management Branch Administrator with the Department of Human Services, and Executive Director of DentiCare of California and Hawaii. Your Committee further finds that Mr. Mun has served as a public member of the Hawaii Medical Board since 2019 and his professional expertise in health care administration will continue to enhance the effectiveness of the Board. Your Committee therefore recommends that Wesley Mun be reappointed to the Hawaii Medical Board based on his experience, knowledge, and dedication to serving the community.

MICHAEL JAFFE

Your Committee received testimony in support of the nomination for the appointment of Michael Jaffe from the Hawaii Medical Board.

Upon review of the testimony, your Committee finds that Dr. Jaffe's experience, knowledge, and commitment to public service qualify him for appointment to the Hawaii Medical Board as a licensed osteopathic physician member. Your Committee notes that Dr. Jaffe has held a current, active, and unencumbered osteopathic medical license in the State since February 2017. Dr. Jaffe has been in private practice, specializing in physical medicine, rehabilitation, and pain management, at Hawaii Brain and Spine since January 2018. Your Committee further finds that Dr. Jaffe previously served as a member of the Hawaii Medical Board from 2019 to 2023, and his knowledge and insight will support the effectiveness of the Hawaii Medical Board. Your Committee therefore recommends that Michael Jaffe be appointed to the Hawaii Medical Board based on his knowledge, background, and commitment to serving the community.

As affirmed by the records of votes of the members of your Committee on Commerce and Consumer Protection that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (McKelvey, Richards).

SCRep. 3850 Commerce and Consumer Protection on Gov. Msg. Nos. 649, 650, and 676

Recommending that the Senate advise and consent to the nominations of the following:

CONTRACTORS LICENSE BOARD

G.M. No. 649 RUSSELL INOUYE, for a term to expire 06-30-2028;

G.M. No. 650 ALAN SHINTANI, for a term to expire 06-30-2028; and

G.M. No. 676 DARYL SUEHIRO, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by Russell Inouye, Alan Shintani, and Daryl Suehiro for service on the Contractors License Board.

RUSSELL INOUYE

Your Committee received testimony in support of the nomination for the appointment of Russell Inouye from the Department of Commerce and Consumer Affairs; General Contractors Association of Hawaii; King & Neel Pacific, Inc.; Hensel Phelps; Koga Engineering & Construction, Inc.; Ralph S. Inouye Co., Ltd.; S & M Sakamoto, Inc.; Pacific Resource Partnership; Healy Tibbitts Builders, Inc.; and Royal Contracting Company.

Upon review of the testimony, your Committee finds that Mr. Inouye's background and dedication to serving the public qualify him to be appointed to the Contractors License Board as a licensed member. Your Committee notes that Mr. Inouye has been an engineer since 1988 and is a licensed Professional Engineer and licensed Contractor. Mr. Inouye is currently a Project Engineer, Project Manager, and Island Manager for Koga Engineering & Construction, Inc. Mr. Inouye is also an active member in a number of professional organizations, and currently serves as 2nd Vice President for the General Contractors Association of Hawaii, Vice Chairperson of the Laborers Negotiating Subcommittee, and Alternate Trustee of the Operating Engineers Pre-Apprenticeship for the Apprentice and Journeyman Training Fund. Your Committee finds that Mr. Inouye has a thorough understanding of the role and responsibilities of board members and his extensive experience in engineering will continue to enhance the effectiveness of the

Contractors License Board. Your Committee therefore recommends that Russell Inouye be appointed to the Contractors License Board based on his knowledge, background, and dedication to public service.

ALAN SHINTANI

Your Committee received testimony in support of the nomination for the appointment of Alan Shintani from the Department of Commerce and Consumer Affairs; General Contractors Association of Hawaii; Hawaii Building Industry Foundation; Nordic PCL Construction, Inc.; Mashima Electric, LLC; Building Industry Labor Association of Hawaii; Ralph S. Inouye Co., Ltd.; S & M Sakamoto, Inc.; The Wilhem Group; Royal Contracting Company, Ltd.; King & Neel Pacific, Inc.; Koga Engineering & Construction, Inc.; Hawaii Laborers & Employers Cooperation and Education Trust; D.R. Horton Hawaii; Pacific Resource Partnership; Building Industry Association of Hawaii; CC Engineering & Construction, Inc.; Healy Tibbitts Builders, Inc.; and four individuals.

Upon review of the testimony, your Committee finds that Mr. Shintani's experience and commitment to public service qualify him to be appointed to the Contractors License Board as a licensed member. Your Committee notes that Mr. Shintani has been a licensed general contractor builder for over forty years. Mr. Shintani is currently President of Alan Shintani, Inc., a local company offering general contracting services for various projects. Previously, Mr. Shintani completed apprenticeships in carpentry and served in various roles as a carpenter. Mr. Shintani is also an active member in a number of professional organizations, serving as President of the Building Industry Labor Association, Chairperson of the Hawaii Building Industry Foundation, and Management Trustee of the Laborers Union Pension Trust Fund and Carpenters Union 401K and Financial Security Trust Funds. Your Committee finds that Mr. Shintani has a thorough understanding of the role and responsibilities of board members and his extensive experience in carpentry, masonry, and residential and small commercial construction projects will continue to enhance the effectiveness of the Contractors License Board. Your Committee therefore recommends that Alan Shintani be appointed to the Contractors License Board based on his knowledge, experience, and commitment to public service.

DARYL SUEHIRO

Your Committee received testimony in support of the nomination for the appointment of Daryl Suehiro from the Contractors License Board.

Upon review of the testimony, your Committee finds that Mr. Suehiro's knowledge and prior service on the Contractors License Board qualify him to be appointed to the Contractors License Board as a licensed specialty contractor member. Your Committee notes that Mr. Suehiro has been a journey worker electrician since 1986. Mr. Suehiro is the President of D. Suehiro Electric, Inc. and Vice President of 808 Underground Utilities, Inc. Mr. Suehiro is also an active member of his professional community, having served as Past President and Current Director of the Electrical Contractors Association of Hawaii and as a board member for the Sand Island Business Association and T&T Tinting Specialist, Inc. Your Committee notes that Mr. Suehiro previously served on the Contractors License Board from 2008 to 2016 and has most recently served as an interim member of the Board since July 2023. Accordingly, your Committee finds that Mr. Suehiro has a thorough understanding of the role and responsibilities of board members and his extensive experience in electrical contracting will continue to enhance the effectiveness of the Contractors License Board. Your Committee therefore recommends that Daryl Suehiro be appointed to the Contractors License Board based on his institutional 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, 3. Noes, none. Excused, 2 (McKelvey, Richards).

SCRep. 3851 Commerce and Consumer Protection on Gov. Msg. Nos. 616 and 617

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS AND LANDSCAPE ARCHITECTS

G.M. No. 616 ALAN INABA, for a term to expire 06-30-2028; and

G.M. No. 617 JOEL KUROKAWA, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by Alan Inaba and Joel Kurokawa for service on the Board of Professional Engineers, Architects, Surveyors and Landscape Architects.

ALAN INABA

Your Committee received testimony in support of the nomination for the appointment of Alan Inaba from the Board of Professional Engineers, Architects, Surveyors and Landscape Architects and two individuals.

Upon review of the testimony, your Committee finds that Mr. Inaba's background, experience, and dedication to serving his community qualify him for appointment to the Board of Professional Engineers, Architects, Surveyors and Landscape Architects as a professional surveyor member from the County of Hawaii. Your Committee notes that Mr. Inaba has been a licensed professional land surveyor since 1984 and a licensed land court surveyor since 1993. Mr. Inaba is the principal land surveyor at Inaba Engineering, Inc., a local business based in Hilo, Hawaii, that provides engineering and surveying services. Mr. Inaba also serves as an advisor to Hawaii Community College's Career and Technical Education Program Advisory Council. Your Committee further notes that Mr. Inaba has served two previous terms on the Board of Professional Engineers, Architects, Surveyors and Landscape Architects from 2015 to 2023 and his professional expertise and ability to represent the unique perspectives of Hawaii County as a surveyor will continue to enhance the effectiveness of the Board. Your Committee therefore recommends that Alan Inaba be appointed to the Board of Professional Engineers, Architects, Surveyors and Landscape Architects based on his background, knowledge, and dedication to serving the community.

JOEL KUROKAWA

Your Committee received testimony in support of the nomination for the reappointment of Joel Kurokawa from the Board of Professional Engineers, Architects, Surveyors and Landscape Architects.

Upon review of the testimony, your Committee finds that Mr. Kurokawa's experience, knowledge, and commitment to public service qualify him for reappointment to the Board of Professional Engineers, Architects, Surveyors and Landscape Architects as a landscape architect member from the City and County of Honolulu. Your Committee notes that Mr. Kurokawa has been licensed as a professional landscape architect since 2002 and is a founding Partner and Principal Landscape Architect at Ki Concepts LLC, a local business based in Honolulu that provides landscape architecture and planning services. Your Committee further notes that in addition to his two prior terms where he served from 2013 to 2020, Mr. Kurokawa has served on the Board of Professional Engineers, Architects, Surveyors and Landscape Architects since 2021, and recently led the Board's efforts to refresh the Landscape Architecture State examination as it transitioned to computer-based testing. Mr. Kurokawa's knowledge of local, national, and international landscape architecture, and forty years of professional experience, will continue to enhance the effectiveness of the Board. Your Committee therefore recommends that Joel Kurokawa be reappointed to the Board of Professional Engineers, Architects, Surveyors and Landscape Architects based on his experience, knowledge, and commitment to serving the community.

As affirmed by the records of votes of the members of your Committee on Commerce and Consumer Protection that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (McKelvey, Richards).

SCRep. 3852 Commerce and Consumer Protection on Gov. Msg. Nos. 510, 615, and 624

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS AND LANDSCAPE ARCHITECTS

- G.M. No. 510 JONATHAN LUCAS, for a term to expire 06-30-2027;
- G.M. No. 615 KEVIN KATAYAMA, for a term to expire 06-30-2028; and
- G.M. No. 624 NANCY CASSANDRO, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by Jonathan Lucas, Kevin Katayama, and Nancy Cassandro for service on the Board of Professional Engineers, Architects, Surveyors and Landscape Architects.

JONATHAN LUCAS

Your Committee received testimony in support of the nomination for the appointment of Jonathan Lucas from the Board of Professional Engineers, Architects, Surveyors and Landscape Architects and one individual.

Upon review of the testimony, your Committee finds that Mr. Lucas' background, experience, and dedication to community service qualify him to be appointed to the Board of Professional Engineers, Architects, Surveyors and Landscape Architects (Board) as a professional architect member representing Kauai county. Currently, Mr. Lucas works as a licensed architect and project manager for Palms Hawaii Architecture, LLC on the island of Kauai and serves as a lecturer for the Kauai Community College's Trade Technology Division and Construction Academy. Mr. Lucas has over fifteen years of architectural experience and has been licensed as an architect in Hawaii since December 2019. Your Committee further finds that Mr. Lucas is also actively involved in the Kauai community, serving as Chairperson of the County of Kauai Public Access Open Space Commission and as a member of the County of Kauai Building Code Task Force Committee. Mr. Lucas also volunteers with numerous community organizations, including Habitat for Humanity and the Kauai Surfrider Foundation. Your Committee further finds that Mr. Lucas has served as an interim member of the Board since January 2024 and has a thorough understanding of the role and responsibilities of Board members. Your Committee therefore recommends that Jonathan Lucas be appointed to the Board of Professional Engineers, Architects, Surveyors and Landscape Architects based on his knowledge, experience, and commitment to public service.

KEVIN KATAYAMA

Your Committee received testimony in support of the nomination for the reappointment of Kevin Katayama from the Board of Professional Engineers, Architects, Surveyors and Landscape Architects; Iwamoto Engineering Consultants, Inc.; Anbe, Aruga & Ishizu, Architects, Inc.; and three individuals.

Upon review of the testimony, your Committee finds that Mr. Katayama's background, knowledge, and prior experience on the Board of Professional Engineers, Architects, Surveyors and Landscape Architects (Board) qualify him to be reappointed to the Board as a professional engineer member representing the City and County of Honolulu. Mr. Katayama has served as a member of the Board since 2021 and currently serves as Vice Chairperson of the Board and Chairperson of the Board's Administrative Rules Revision Permitted Interaction Group. Mr. Katayama has over thirty years of experience as an engineer and is currently the President and Principal-in-Charge of Katayama & Associates, Inc., a consulting mechanical engineering firm that provides design and construction supervision services relating to air conditioning, ventilation, plumbing, fire protection, and energy management systems. Testifiers have recognized Mr. Katayama as a highly respected mechanical engineer with strong professional design expertise and high ethical standards and professionalism. Your Committee finds that Mr. Katayama's wealth of professional expertise, desire to serve the public, and continued service on the Board will provide continuity and further enhance the work of the Board. Your Committee therefore recommends that Kevin Katayama be reappointed to the Board of Professional Engineers, Architects, Surveyors and Landscape Architects based on his background, knowledge, and proven leadership.

NANCY CASSANDRO

Your Committee received testimony in support of the nomination for the appointment of Nancy Cassandro from the Department of Commerce and Consumer Affairs; B+K Design Group, LLC; and seven individuals.

Upon review of the testimony, your Committee finds that Ms. Cassandro's leadership, experience, and commitment to public service qualify her to be appointed to the Board of Professional Engineers, Architects, Surveyors and Landscape Architects (Board) as a landscape architect member. Ms. Cassandro has been a licensed landscape architect in Hawaii since 1996 and is the co-founder of Umemoto Cassandro, Design Corporation, a well-respected design firm that strives to promote the use of native materials, respect historical and cultural elements, and celebrate the natural artistic assets of landscapes. Your Committee further finds that Ms. Cassandro is also an established leader in the local landscape architect community, having served three consecutive terms as the President of the American Society of Landscape Architects, Hawaii Chapter. Testifiers have recognized Ms. Cassandro as a hard-working, humble, and trustworthy professional who has been a strong and vocal advocate on behalf of the landscape architect community. Your Committee finds that Ms. Cassandro's leadership, dedication to the profession, and more than forty years of experience in landscape architecture will provide an insightful perspective that will enhance the work of the Board. Your Committee therefore recommends that Nancy Cassandro be appointed to the Board of Professional Engineers, Architects, Surveyors and Landscape Architects based on her leadership, experience, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Commerce and Consumer Protection that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 3853 Commerce and Consumer Protection on Gov. Msg. No. 633

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII BOARD OF OPTOMETRY

G.M. No. 633 PETER SEARL, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Peter Searl for service on the Hawaii Board of Optometry.

Your Committee received testimony in support of the nomination for the reappointment of Peter Searl from the Hawaii Board of Optometry.

Upon review of the testimony, your Committee finds that Dr. Searl's experience, knowledge, and proven leadership on the Hawaii Board of Optometry qualify him for reappointment to the Board as a licensee member. Your Committee notes that Dr. Searl has been licensed as an optometrist since 2002 and specializes in sports vision and concussion education. Dr. Searl has worked as an optometrist for twenty-two years and has also served as a pilot and captain for Hawaiian Airlines for thirty-two years. Your Committee further finds that Dr. Searl has served on the Hawaii Board of Optometry since 2021 and currently serves as the Board's Vice Chairperson. Dr. Searl's extensive experience and knowledge will continue to be assets to the Hawaii Board of Optometry. Your Committee therefore recommends that Peter Searl be reappointed to the Hawaii 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, 3. Noes, none. Excused, 2 (McKelvey, Richards).

SCRep. 3854 Commerce and Consumer Protection on Gov. Msg. No. 632

Recommending that the Senate advise and consent to the nomination of the following:

MOTOR VEHICLE REPAIR INDUSTRY BOARD

G.M. No. 632 STEVEN CHOW, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Steven Chow for service on the Motor Vehicle Repair Industry Board.

Your Committee received testimony in support of the nomination for the appointment of Steven Chow from the Motor Vehicle Repair Industry Board.

Upon review of the testimony, your Committee finds that Mr. Chow's background, knowledge, and proven leadership on the Motor Vehicle Repair Industry Board qualify him for appointment to the Board as a public member. Your Committee notes that Mr. Chow has been a licensed attorney in Hawaii since 1981 and is currently a Partner with the firm of Fukunaga Matayoshi Ching & Kon-Herrera LLP. Your Committee further notes that Mr. Chow has experience as a member of a number of State boards, including the Motor Vehicle Industry Licensing Board where he currently serves as Vice Chairperson, the term of which is scheduled to expire June 30, 2024. Mr. Chow also previously served on the Motor Vehicle Repair Industry Board from 2007-2015 where he assisted in drafting both statutory and administrative rule revisions for the Board. Your Committee finds that Mr. Chow's institutional knowledge and legal expertise will be assets to the Motor Vehicle Repair Industry Board. Your Committee therefore recommends that Steven

Chow be appointed to the Motor Vehicle Repair Industry Board based on his experience, knowledge, and dedication to serving the community.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (McKelvey, Richards).

SCRep. 3855 Commerce and Consumer Protection on Gov. Msg. No. 630

Recommending that the Senate advise and consent to the nomination of the following:

STATE BOARD OF BARBERING AND COSMETOLOGY

G.M. No. 630 ASHLEY MARIE CORNELIO, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Ashley-Marie Cornelio for service on the State Board of Barbering and Cosmetology.

Your Committee received testimony in support of the nomination for the appointment of Ashley-Marie Cornelio from the Department of Commerce and Consumer Affairs and five individuals.

Upon review of the testimony, your Committee finds that Ms. Cornelio's background and dedication to serving the public qualify her to be appointed to the State Board of Barbering and Cosmetology as a licensed barber member. Your Committee notes that Ms. Cornelio has been a barber since 2010 and is currently serving as a Licensed Master Barber at Sixty-One Barbershop in Honolulu. Previously, Ms. Cornelio worked as a Master Barber at a resort in Las Vegas, Nevada. Ms. Cornelio is also an active participant in her community and has provided strategic leadership and guidance as a volunteer for the American Foundation for Suicide Prevention. Your Committee finds that Ms. Cornelio has a thorough understanding of the role and responsibilities of board members and her extensive experience as a barber will enhance the effectiveness of the State Board of Barbering and Cosmetology. Your Committee therefore recommends that Ashley-Marie Cornelio be appointed to the State Board of Barbering and Cosmetology based on her knowledge, background, and dedication to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (McKelvey, Richards).

SCRep. 3856 Commerce and Consumer Protection on Gov. Msg. No. 644

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF DENTISTRY

G.M. No. 644 CRAIG YAMAMOTO, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Craig Yamamoto for service on the Board of Dentistry.

Your Committee received testimony in support of the nomination for the appointment of Craig Yamamoto from the Board of Dentistry and one individual.

Upon review of the testimony, your Committee finds that Dr. Yamamoto's background, experience, and commitment to public service qualify him to be appointed to the Board of Dentistry as a practicing dentist member from the City and County of Honolulu. Your Committee notes that Dr. Yamamoto has been licensed to practice dentistry in Hawaii since 1992, and currently is in private practice at Oral Surgery Hawaii, which he co-founded in 1999. Dr. Yamamoto is also an active participant in a number of professional and community organizations, including the Hawaii Dental Association, Honolulu County Dental Society, and volunteer with Kalihi Kokua Valley Health Center. Your Committee further notes that Dr. Yamamoto served a previous term with the Board of Dentistry from 2022-2023 and his professional expertise in oral surgery and participation in the anesthesia permitted interaction group are valuable assets to the Board. Your Committee therefore recommends that Craig Yamamoto be appointed to the Board of Dentistry based on his background, knowledge, and dedication to serving the community.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (McKelvey, Richards).

SCRep. 3857 Commerce and Consumer Protection on Gov. Msg. No. 656

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF NATUROPATHIC MEDICINE

G.M. No. 656 KRISTEN COLES, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Kristen Coles for service on the Board of Naturopathic Medicine.

Your Committee received testimony in support of the nomination for the reappointment of Kristen Coles from the Board of Naturopathic Medicine.

Upon review of the testimony, your Committee finds that Dr. Coles' background, experience, and proven leadership on the Board of Naturopathic Medicine qualify her to be nominated for reappointment to the Board as a licensed naturopathic physician member. Your Committee notes that Dr. Coles has held a naturopathic physician license in Hawaii since 2012 and has worked as a naturopathic physician and licensed acupuncturist at Steelsmith Natural Health Center for over a decade and is the Medical Manager at its IV Nutritional Clinic. Dr. Coles also engages with the local community as a public speaker, writer, and educator, and has lectured at local hospitals and the University of Hawaii Nancy Atmospera-Walch School of Nursing. Your Committee further finds that Dr. Coles has served on the Board of Naturopathic Medicine since 2018, and her extensive experience in naturopathic medicine will continue to enhance the effectiveness of the Board. Your Committee therefore recommends that Kristen Coles be reappointed to the Board of Naturopathic Medicine based on her experience, background, 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, 3. Noes, none. Excused, 2 (McKelvey, Richards).

SCRep. 3858 Commerce and Consumer Protection on Gov. Msg. No. 657

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF PSYCHOLOGY

G.M. No. 657 DON PEDRO, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Don Pedro for service on the Board of Psychology.

Your Committee received testimony in support of the nomination for the reappointment of Don Pedro from the Board of Psychology.

Upon review of the testimony, your Committee finds that Dr. Pedro's background, experience, and proven leadership qualify him to be nominated for reappointment to the Board of Psychology as a psychologist member. Your Committee notes that Dr. Pedro has worked for the Department of Health Adult Mental Health Division in various roles since 2004, while also maintaining a part-time private practice as a clinical psychologist. Dr. Pedro is also a lecturer at University of Hawaii's Kapiolani Community College and an adjunct faculty member at Hawaii Pacific University. Dr. Pedro is actively involved in his community, serving on the I Ola Lahui-Rural Hawai'i Behavioral Health Board of Directors. Your Committee further finds that Dr. Pedro has served on the Board of Psychology since 2017, and his extensive experience in clinical psychology and adult mental health will continue to be assets to the Board. Your Committee therefore recommends that Don Pedro be reappointed to the Board of Psychology based on his experience, background, 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, 3. Noes, none. Excused, 2 (McKelvey, Richards).

SCRep. 3859 Commerce and Consumer Protection on Gov. Msg. No. 686

Recommending that the Senate advise and consent to the nomination of the following:

REAL ESTATE COMMISSION

G.M. No. 686 NIKKI SENTER, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Nikki Senter for service on the Real Estate Commission.

Your Committee received testimony in support of the nomination for the reappointment of Nikki Senter from the Real Estate Commission.

Upon review of the testimony, your Committee finds that Ms. Senter's experience, knowledge, and proven leadership on the Real Estate Commission qualify her for reappointment to the Real Estate Commission as a public member. Your Committee notes that Ms. Senter has over twenty years of experience in real estate law and has been licensed as an attorney in Hawaii since 2001. Ms. Senter has worked as the Senior Assistant General Counsel for the Howard Hughes Corporation since 2019, and before that served as President and Founder of Senter Law LLLC where she handled various real estate matters. Your Committee further finds that Ms. Senter currently serves as Vice Chairperson of the Real Estate Commission and is the Chairperson of the Laws and Rules Review Committee. Ms. Senter also served prior terms on the Real Estate Commission from 2011 to 2018 and her experience and knowledge will continue to be assets to the Commission. Your Committee therefore recommends that Nikki Senter be reappointed to the Real Estate Commission based on her experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (McKelvey, Richards).

SCRep. 3860 (Joint) Public Safety and Intergovernmental and Military Affairs and Government Operations on H.C.R. No. 4

The purpose and intent of this measure is to request the current members of the Northwest Wildland Fire Protection Agreement to amend the Agreement to allow Hawaii to join as a member.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, State Fire Council, and Honolulu Fire Department.

Your Committees find that in 1998, the United States Congress enacted the Northwest Wildland Fire Protection Agreement (Agreement) under Public Law 105—377, that provided a way for member states, provinces, and territories to cope with wildland fires that might be beyond the capabilities of a single member agency, through information, technology, and resource sharing activities. However, your Committees further find that membership is limited to certain geographical constraints and solely includes Alaska, Idaho, Montana, Oregon, Washington, the Yukon Territory, the Province of British Columbia, and the Province of Alberta, including any other state, province, or territory that is contiguous to any member. Your Committees conclude that despite the membership restrictions, the State has much to benefit from the Agreement to prevent a tragedy similar to the August 2023 Maui wildfires from reoccurring.

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 concur with the intent and purpose of H.C.R. No. 4, H.D. 1, 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 (Awa).
Government Operations: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3861 (Joint) Public Safety and Intergovernmental and Military Affairs and Housing on H.C.R. No. 75

The purpose and intent of this measure is to request the United States Department of Defense, including the Navy, Army, and Air Force, to increase on-base housing availability for active duty personnel and their dependents assigned to military installations in the State.

Your Committees received testimony in support of this measure from one individual.

Your Committees received comments on this measure from the Hawaii Military Affairs Council.

Your Committees find that Hawaii's unique strategic position in the Pacific Ocean has led to one of the largest concentrations of United States military forces in the country. Your Committees further find that a major contributing factor to high rent and limited availability of housing in the State is the demand for housing by active duty military personnel and their dependents. Your Committees conclude that increasing on-base housing for active duty military personnel and their dependents will help to alleviate the severe housing shortage 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 Housing that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 75, 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 (Wakai, Awa).
Housing: Ayes, 3. Noes, none. Excused, 2 (Aquino, Awa).

SCRep. 3862 Judiciary on Gov. Msg. No. 685

Recommending that the Senate advise and consent to the nomination of the following:

COMMISSION TO PROMOTE UNIFORM LEGISLATION

G.M. No. 685 BLAKE OSHIRO, for a term to expire 06-30-2027. (Board name amended to Commission to Promote Uniform Legislation by GM690)

Your Committee reviewed the personal history, resume, and statement submitted by Blake Oshiro for service on the Commission to Promote Uniform Legislation.

Your Committee received testimony in support of the nomination for the appointment of Blake Oshiro from the Department of the Attorney General, Department of Labor and Industrial Relations, Hawaii Public Housing Authority, Commission to Promote Uniform Legislation, and five individuals.

Upon review of the testimony, your Committee finds that Mr. Oshiro's background and extensive experience qualify him to be nominated for appointment to the Commission to Promote Uniform Legislation (Commission). Your Committee notes that Mr. Oshiro has served on the Commission for five years, and during that time the Commission effectively supported and adopted or amended approximately a dozen acts. Your Committee also notes that Mr. Oshiro is a lawyer licensed to practice law in the State, having received his Juris Doctor from the William S. Richardson School of Law in 1996 and a Bachelor of Arts in English Literature from the University of Southern California in 1992. In addition to his service on the Commission, Mr. Oshiro has extensive experience with

state government and government relations. Mr. Oshiro currently works as the Senior Advisor to Governor Green and was previously Deputy Chief of Staff to Governor Abercrombie until 2014, when he returned to the private practice of law. He then spent two years as the Executive Vice President of a consulting firm that specializes in government relations, including political advertising and lobbying. Additionally, testimony submitted on behalf of the nominee notes that since his initial appointment in 2019, Mr. Oshiro has attended and actively participated in the meetings of the Commission, assisting the Commission in advocating for the passage of uniform laws with lobbying efforts at the Legislature on bills that have been identified as priorities by the Commission. Your Committee therefore recommends that Blake Oshiro be appointed to the Commission to Promote Uniform Legislation based on his background, knowledge, and dedication to public service.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3863 Judiciary on Gov. Msg. No. 526

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF REGISTRATION OF THE ISLAND OF HAWAII

G.M. No. 526 SHAWN MERRILL, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Shawn Merrill for service on the Board of Registration of the Island of Hawai'i.

Your Committee received no testimony on the nomination for the appointment of Shawn Merrill.

Your Committee finds that Ms. Merrill's professional experience, background, and desire to serve her community qualify her for appointment to the Board of Registration of the Island of Hawai'i. Ms. Merrill holds a Bachelor of Science degree in Criminal Justice from the California State University, Sacramento, and a paralegal certificate and an Associate of Arts degree from Skyline College. Ms. Merrill has worked in the legal profession for nearly two decades, starting her career as a paralegal in 2006 at Gibson, Robb, and Lindh, LLP. Since then, Ms. Merrill has also worked as a paralegal at Crudele and Beerman, LLLC, and currently works as a paralegal for the Law Office of Robert P. Marx, LLC. Additionally, Ms. Merrill currently serves as the Chairperson of the Board of Registration of the Island of Hawai'i, having served since 2017. Your Committee further notes that Ms. Merrill is an active member of other community organizations, including the Mercedes-Benz Club of America, Hawaii Section, where she is the President. Additionally, Ms. Merrill serves as a 4-H Leader for Hawaii County and is a member of the Finance Committee of the Hawaiian Paradise Park Owners Association. Your Committee therefore recommends that Shawn Merrill be appointed to the Board of Registration of the Island of Hawai'i 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 Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3864 Judiciary on Gov. Msg. No. 591

Recommending that the Senate advise and consent to the nomination of the following:

STATEWIDE ELECTIONS ACCESSIBILITY NEEDS ADVISORY COMMITTEE

G.M. No. 591 JAMES GASHEL, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by James Gashel for service on the Statewide Elections Accessibility Needs Advisory Committee.

Your Committee received testimony in support of the nomination for the appointment of James Gashel from the Department of Human Services and Statewide Elections Accessibility Needs Advisory Committee.

Upon review of the testimony, your Committee finds that Mr. Gashel's background and extensive experience qualify him to be nominated for appointment to the Statewide Elections Accessibility Needs Advisory Committee as a member. Your Committee notes that from 2022 to 2023, Mr. Gashel previously served as a member of the Statewide Voters with Special Needs Advisory Committee, which was renamed the Statewide Elections Accessibility Needs Advisory Committee by Act 14, Session Laws of Hawaii 2023, where he took the lead on advising the Hawaii State Office of Elections on electronic ballot processes by providing substantial and targeted advice on the need to simplify the voter identification and verification procedure. Prior to his service on the Statewide Elections Accessibility Needs Advisory Committee, Mr. Gashel served at the National Federation of the Blind, where he became one of the best known advocates for the blind in the United States, with his work leading to significant changes in nearly every law directly affecting blind Americans, including the Social Security Act, Rehabilitation Act, Randolph-Sheppard Act for Blind Entrepreneurs, Americans with Disabilities Act, Copyright Act, Individuals with Disabilities Education Act, and the Help America Vote Act. Your Committee further notes that due to his years of work with the National Federation of the Blind, Mr. Gashel has access to a national network of colleagues who can advise on issues of interest to the Statewide Elections Accessibility Needs Advisory Committee. Your Committee therefore recommends that James Gashel be appointed to the Statewide Elections Accessibility Needs Advisory Committee based on his experience, leadership skills, and dedication to public service.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3865 Judiciary on Gov. Msg. Nos. 527, 659, 660, 661, 662, 663, and 664

Recommending that the Senate advise and consent to the nominations of the following:

HAWAI'I STATE LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER, PLUS COMMISSION

- G.M. No. 527 SANDY HARJO-LIVINGSTON, for a term to expire 06-30-2027;
- G.M. No. 659 KATHLEEN O'DELL, for a term to expire 06-30-2026;
- G.M. No. 660 MICHAEL GOLOJUCH, JR., for a term to expire 06-30-2027;
- G.M. No. 661 SHANDA LEWIS, for a term to expire 06-30-2027;
- G.M. No. 662 RICHARD VELASQUEZ, for a term to expire 06-30-2026;
- G.M. No. 663 PHILLIP STEINBACHER, for a term to expire 06-30-2028. (Nominee's name amended to PHILIP STEINBACHER by GM692); and
- G.M. No. 664 JOE TOLBE, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by Sandy Harjo-Livingston; Kathleen O'Dell; Michael Golojuch, Jr.; Shanda Lewis; Richard Velasquez; Philip Steinbacher; and Joe Tolbe for service on the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission.

Your Committee notes that the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus, or LGBTQ+, Commission is a newly created commission established by Act 41, Session Laws of Hawaii 2022, and that these nominees, plus an eighth nominee to be considered later, will form the inaugural Commission. The law establishing the Commission made findings about its purpose, including that there is a need to establish a body to improve the State's interface with members of the lesbian, gay, bisexual, transgender, queer, plus community; to identify the short- and long-range needs of its members; and to ensure that there is an effective means of researching, planning, and advocating for the equity of this population in all aspects of state government. Your Committee believes that these nominees, who are representatives from all of the counties and the Department of Health's Sexual and Gender Minority Workgroup and who bring their distinct viewpoints from the LGBTQ+ community, are well-suited to perform their duties.

SANDY HARJO-LIVINGSTON

Your Committee received testimony in support of the nomination for the appointment of Sandy Harjo-Livingston from one individual.

Upon review of the testimony, your Committee finds that Dr. Harjo-Livingston's experience, background, and desire to serve their community qualify them for appointment to the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission. Dr. Harjo-Livingston holds a Doctorate in Political Theory and International Relations from the University of Aberdeen, a Master of Arts in Marriage and Family Counseling from the New Orleans Baptist Theological Seminary, and a Bachelor of Arts in Philosophy and Psychology from Mississippi College. During their academic career, Dr. Harjo-Livingston taught a wide array of courses, including international political economy, international relations and postcolonialism, political theory and communications, public policy, and gender studies. In addition to their work in academia, Dr. Harjo-Livingston has worked on numerous films and television programs, serving as a writer or director on more than twenty productions while also working as an assignments desk news manager, site producer, and digital reporter for KHON2. Your Committee further notes that Dr. Harjo-Livingston is an active member in their community, as they currently sit on the advisory board for the Hawai'i LGBT Legacy Foundation and is a board member of Hawai'i Women in Filmmaking. Your Committee therefore recommends that Sandy Harjo-Livingston be appointed to the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission based on their background, knowledge, and desire to contribute to the community.

KATHLEEN O'DELL

Your Committee received testimony in support of the nomination for the appointment of Kathleen O'Dell from Kailua United Methodist Church and eleven individuals.

Upon review of the testimony, your Committee finds that Dr. O'Dell's experience, knowledge, and desire to serve qualify her to be appointed to the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission. Dr. O'Dell holds a Doctorate of Curriculum and Instruction from Kent State University with a concentration in multicultural and international early childhood education. Dr. O'Dell also holds a Master of Arts in teaching from Kent State University and a Bachelor of Arts in international political science from the University of Hawai'i at Hilo. Dr. O'Dell currently works as a support network coordinator for 'Ohana Family and a curriculum developer and instructor for University of Hawai'i Windward Community College. Previously, Dr. O'Dell worked as a complex academic officer at the Kailua-Kalāheo Complex for the Department of Education and was an instructor and research assistant at Kent State University. Your Committee also notes that Dr. O'Dell is an active member of her community, having served as preschool parish staff relations liaison at Kailua United Methodist Church, Co-Chair of the Hawai'i State 'Ohana Family Support Network, district coordinator of the Rotary International Convention, and as a member and Paul Harris Fellow of Rotary International for more than a decade. Your Committee believes that Dr. O'Dell's experience in education and commitment to serving her community will be invaluable to the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission. Your

Committee therefore recommends that Kathleen O'Dell be appointed to the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission based on her experience, knowledge, and desire to serve her community.

MICHAEL GOLOJUCH, JR.

Your Committee received testimony in support of the nomination for the appointment of Michael Golojuch, Jr. from the Office of the Mayor of the City and County of Honolulu; one member of the Honolulu City Council; IATSE Local 665; Stonewall Caucus of the Democratic Party of Hawai'i; Hawaii State AFL-CIO; Hawaii Ports Maritime Council; Democratic Party of Hawaii Labor Caucus; Hawaii Health and Harm Reduction Center; Hawaii State Teachers Association; Women's Caucus of the Democratic Party of Hawai'i; International Union of Painters and Allied Trades, District Council 50, Painters Local Union 1791; United Public Workers, AFSCME Local 646, AFL-CIO; Rainbow Family 808; and twenty-five individuals.

Upon review of the testimony, your Committee finds that Michael Golojuch, Jr.'s background, extensive experience, and commitment to the LGBTQ+ community qualify him for appointment to the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission. Mr. Golojuch holds a Bachelor's of Business Science and Hospitality Management from the University of San Francisco. Mr. Golojuch currently works as a private consultant, providing advice on the legislative process and advocacy, office management, and personnel management. Previously, Mr. Golojuch worked as a private secretary to the Deputy Director of the Department of Human Resources Development. Your Committee notes that Mr. Golojuch is an active member of his community and has extensive experience in public service. Mr. Golojuch presently serves as Communications Chair of the Labor Caucus of the Democratic Party of Hawai'i, Chair of the Stonewall Caucus and the Caucus' Representative to the State Central Committee of the Democratic Party of Hawai'i, Vice President of Hawai'i State AFL-CIO, and Acting President of Pride at Work Hawai'i. Additionally, Mr. Golojuch has served as a safety net committee member of Aloha United Way, blood drive coordinator for the Blood Bank of Hawai'i, Assistant Secretary for the Democratic Party of Hawai'i, Co-Chair for the Kapolei City Lights Electrical Parade, and Chair of Honolulu Pride for five years. Your Committee therefore recommends that Michael Golojuch, Jr. be appointed to the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission based on his background, knowledge, experience, and desire to serve his community.

SHANDA LEWIS

Your Committee received testimony in support of the nomination for the appointment of Shanda Lewis from the Waianae Coast Comprehensive Health Center and four individuals.

Upon review of the testimony, your Committee finds that Ms. Lewis' experience, background, and desire to advocate for the LGBTQ+ community qualify her for appointment to the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission. Ms. Lewis holds a Masters in Nursing from California State University, a Bachelors of Science in Nursing from National University, and a Bachelors of Science in Genetics from the University of California at Davis. Ms. Lewis is licensed as an advanced practice registered nurse in the State and currently works as Site Director and a family nurse practitioner at the Waianae Coast Comprehensive Health Center, where she develops and implements a program focusing on transgender, lesbian, bisexual, and gay patients to offer gender affirming hormone therapy and care, as well as improve healthcare to the LGBTQ+ population and reduce healthcare disparities. Your Committee notes that at the Waianae Coast Comprehensive Health Center, Ms. Lewis also educates her colleagues, staff, and trainees on the unique health needs of the transgender population. Additionally, testimony submitted on behalf of the nominee notes that Ms. Lewis possesses an unwavering dedication to her profession and advocacy for the LGBTQ+ community. Your Committee further finds that before working at the Waianae Coast Comprehensive Health Center, Ms. Lewis worked as a family nurse practitioner for the Lavender Clinic and was a RN III at the Madera Community Hospital. Your Committee therefore recommends that Shanda Lewis be appointed to the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission based on her experience, background, and desire to advocate for the LGBTQ+ community.

RICHARD VELASQUEZ

Your Committee received testimony in support of the nomination for the appointment of Richard Velasquez from one individual.

Upon review of the testimony, your Committee finds that Mr. Velasquez's experience, background, and desire to serve qualifies him for appointment to the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission. Mr. Velasquez graduated from Indiana University where he earned a Master's Degree in Social Work. Additionally, Mr. Velasquez holds a Bachelor's Degree in Social Work from Ball State University. Your Committee notes that Mr. Velasquez has dedicated much of his professional career helping veterans. Mr. Velasquez started his career at the Department of Veterans Affairs in 1983 as a social worker at VAMC Marion in Marion, Indiana, and continued in various positions including call center manager, administrative program specialist, program specialist, homeless program coordinator, and administrative officer for research, and most recently he worked as a lead patient advocate. After retiring from more than thirty years of service at the Department of Veterans Affairs in 2019, Mr. Velasquez continued to work as a medical social worker at the Adventist Health Castle Medical Center until 2023. Your Committee therefore recommends that Richard Velasquez be appointed to the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission based on his background, knowledge, and desire to serve.

PHILIP STEINBACHER

Your Committee received testimony in support of the nomination for the appointment of Philip Steinbacher from seven individuals.

Upon review of the testimony, your Committee finds that Mr. Steinbacher's professional experience, background, and knowledge qualify him for appointment to the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission. Mr. Steinbacher graduated from the University of Central Florida in 1994, where he earned a Master of Arts in elementary education, and also holds a Bachelor of Arts in music from Indiana University of Pennsylvania. Your Committee notes that Mr. Steinbacher has more than forty years of experience in education, advocacy, music, entertainment, and writing, during which he has worked with children, adults, and people of diverse backgrounds and abilities. Mr. Steinbacher began his career in 1981 as an entertainer, staging assistant, special services coordinator, and department assistant for the Walt Disney World Co. in Lake Buena Vista, Florida. Currently, Mr. Steinbacher works as a creative entrepreneur and he volunteers for the Trevor Project, the nation's leading LGBTQ+ youth crisis intervention and

suicide prevention organization. As a creative entrepreneur, he founded and sponsored the Hawai'i Technology Academy's Spectrum Alliance and wrote, produced, and edited Garden Island Tea, an informational digital newsletter for the LGBTQ+ community on Kaua'i. Your Committee notes that Mr. Steinbacher has dedicated much of his professional career to education, as he previously served as the Fine Arts Department Head, Choral Director, and was a teacher at Island School on Kaua'i from 2006 to 2020. Your Committee therefore recommends that Philip Steinbacher be appointed to the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission based on his background, knowledge, and professional experience.

JOE TOLBE

Your Committee received testimony in support of the nomination for the appointment of Joe Tolbe from four individuals.

Upon review of the testimony, your Committee finds that Mr. Tolbe's experience, background, and strong commitment to community service qualify him for appointment to the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission. Mr. Tolbe began his volunteering and community service nearly four decades ago as a board member of the San Francisco Pride Parade in 1985, where he organized annual gay pride parades in the city. Additionally, Mr. Tolbe volunteered for the Arcadia Body Building Society and for the Community United Against Violence. Mr. Tolbe also served as a facilitator for BRIDGES Maui in 1992, where he provided a safe space for LGBTQI+ youth and teens. Your Committee further notes that Mr. Tolbe has been actively volunteering for Aloha Maui Pride since 2014, where he helps organize "gay brunch" the first Sunday of each month, creates and organizes monthly gay dining out and hiking events, and fundraises for annual pride events. Mr. Tolbe also presently volunteers for Lei of Aloha for World Peace, where he is a member of a core group of volunteers who help to weave a mile long ti leaf lei to deliver to places affected by violence. Mr. Tolbe began volunteering for Lei of Aloha for World Peace in response to the mass shooting at the Pulse nightclub in Orlando, Florida, where forty-nine people were killed, and has travelled personally to present the lei with Hawaiian protocol and grieve and heal with the people affected by the violence. Your Committee finds that Joe Tolbe's experience, background, and dedication to serving his community will be advantageous and therefore recommends that he be appointed to the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission.

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. 527: Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Awa).

For Gov. Msg. Nos. 659, 660, 661, and 662: Ayes, 4. Noes, none. Excused, 1 (Awa).

For Gov. Msg. Nos. 663 and 664: Ayes, 5. Noes, none. Excused, none.

SCRep. 3866 (Joint) Agriculture and Environment and Public Safety and Intergovernmental and Military Affairs on H.C.R. No. 92

The purpose and intent of this measure is to:

- (1) Recognize the issue of illegal dumping within the Waipahu community; and
- (2) Urge the State, City and County of Honolulu, and military to work together to address the issue of illegal dumping within the Waipahu community.

Your Committees received comments on this measure from the Department of Health.

Your Committees find that illegal dumping in Waipahu not only poses a hazardous environmental risk to residents and visitors of the community, but for neighboring residents as well. This measure is necessary to protect the public health and safety of the people and the environment of the State.

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 H.C.R. No. 92, H.D. 1, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Richards, Awa).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3867 Education on H.C.R. No. 166

The purpose and intent of this measure is to urge the State Public Charter School Commission to work with stakeholders to develop and adopt administrative rules, including rules governing the negotiation process between the Commission and public charter schools.

Your Committee received testimony in support of this measure from the Hawaii Public Charter Schools Network, Kanu O Ka 'Aina New Century Public Charter School Governing Board, Kualapuu Public Charter School, and two individuals.

Your Committee received comments on this measure from the State Public Charter School Commission.

Your Committee finds that Act 62, Session Laws of Hawaii 1999, was intended to provide greater flexibility and autonomy to charter schools at the institutional level, authorizing existing public schools and new schools to be designated as new century charter schools. Existing law authorizes the State Public Charter School Commission to adopt administrative rules to administer and implement state laws regarding public charter schools, including negotiations to execute sound charter contracts. While existing law provides the Board of Education with the power to decide appeals of decisions by the State Public Charter School Commission regarding a charter contract, there is no appeals process for a complaint. Therefore, this measure urges prompt action by the State Public Charter School Commission to ensure compliance and effective operations.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 166, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Richards).

SCRep. 3868 Government Operations on H.C.R. No. 138

The purpose and intent of this measure is to request the Legislative Reference Bureau to:

- (1) Study the year-round legislature models of California, New York, Pennsylvania, and Wisconsin to clarify the similarities and differences in operations with respect to legislative schedules, operational costs, legislative and staff salaries, and policies regarding outside employment; and
- (2) Submit a report of its study, including findings, recommendations, and any proposed legislation, to the Legislature no later than forty-five days prior to the convening of the Regular Session of 2025.

Your Committee did not receive any testimony on this measure.

Your Committee finds that a regular session of the State's legislature is limited to sixty days per year. Your Committee further finds that a year-round legislative session could provide lawmakers with increased opportunities to interact with their constituents and stakeholders, enabling them to obtain a more precise understanding of public opinion on various issues. However, the costs associated with a year-long legislature, including any financial burden to taxpayers, have not been studied in depth. The study requested by this measure will provide valuable information regarding the implementation of a year-round legislature in the State.

Your Committee notes that S.C.R. No. 51, S.D. 1, Regular Session of 2024 (S.C.R. No. 51, S.D. 1), which was previously passed by the Senate, is a substantially similar measure that also requests that the Legislative Reference Bureau conduct a study of a continuous legislative session. Your Committee finds that the language in S.C.R. No. 51, S.D. 1, is preferable because it broadens the scope of the requested study to include the options of extending the legislative session and adding additional recess days.

Accordingly, your Committee has amended this measure by deleting its contents and inserting the contents of S.C.R. No. 51, S.D. 1, a substantially similar measure, which requests the Legislative Reference Bureau to conduct a study of a continuous legislative session, extending the legislative session, and adding additional recess days.

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 H.C.R. No. 138, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 138, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3869 Government Operations on H.C.R. No. 77

The purpose and intent of this measure is to request:

- (1) The Governor to establish a Leadership Accelerator Program to:
 - (A) Acknowledge, train, and develop exceptional managers in state government; and
 - (B) Build relationships between such talented individuals to break down silos and create channels of communication between state departments; and
- (2) The Leadership Accelerator Program to hold regularly scheduled monthly leadership training meetings and submit a report of its findings and recommendations, including any proposed legislation, to the Governor, Legislature, and each department head no later than twenty days prior to the convening of each regular session.

Your Committee did not receive any testimony on this measure.

Your Committee finds that public employees in managerial roles serve an important function in overseeing the efficient delivery of public services. Your Committee finds, however, that the lack of channels of communication among state departments may create silos of information and services that hinder the process. Your Committee further finds that a statewide Leadership Accelerator Program for exceptional managers in state government would enable the State to break down silos and empower its workforce to efficiently and effectively provide vital services that improve, strengthen, and protect communities across the State. Therefore, this measure supports government efficiency by investing and fostering exceptional managers in state government with exemplary performance to become leaders of Hawaii's future and create channels of communications among state departments.

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 H.C.R. No. 77, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3870 Government Operations on H.C.R. No. 97

The purpose and intent of this measure is to request the Department of Accounting and General Services to:

- (1) Establish a working group to plan and construct a Hawaii First Responders Memorial;
- (2) Coordinate all matters regarding the Hawaii First Responders Memorial either through private funds or funds allocated by the Legislature; and

- (3) Submit a report of the working group's plans, including findings, recommendations, projected costs, and any necessary legislation, to the Legislature by November 30, 2024.

Your Committee received testimony in support of this measure from the Hawaii Law Enforcement Memorial Foundation; United Public Workers, AFSCME Local 646, AFL-CIO; and one individual.

Your Committee finds that the Hawaii Law Enforcement Memorial offers a place of honor for those law enforcement officers who sacrificed their lives in the line of duty. Your Committee further finds that the construction of a Hawaii First Responders Memorial in the State similar to the Hawaii Law Enforcement Memorial is an appropriate way to recognize sacrifices of the State's non-law enforcement first responders, including firefighters, lifeguards, paramedics, emergency medical technicians, medical flight nurses, and pilots. This measure facilitates the construction of a Hawaii First Responders Memorial where family, friends, fellow first responders, and the public can visit and remember those first responders who lost their lives while bravely serving the public.

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 H.C.R. No. 97, H.D. 2, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3871 Government Operations on H.C.R. No. 143

The purpose and intent of this measure is to urge the Department of Human Services, Department of Health, and Judiciary to prioritize ensuring that contracts for government services are adequately resourced to cover the costs of providing those services.

Your Committee received testimony in support of this measure from the Department of Health; Catholic Charities Hawai'i; Hawai'i True Cost Coalition; Hawai'i Health & Harm Reduction Center; Parents And Children Together; Partners in Care – Oahu's Continuum of Care; EPIC 'Ohana; Hawai'i State Coalition Against Domestic Violence; The Institute for Human Services, Inc.; Hawai'i Children's Action Network Speaks!; Hawai'i Foodbank, Inc.; Mediation Center of the Pacific, Inc.; YMCA of Honolulu; Aloha United Way; Hale Kipa, Inc.; AlohaCare; Lanakila Pacific; Easterseals Hawaii; The Spirit Horse Ranch Inc.; Adult Friends for Youth; and two individuals.

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

Your Committee finds that community-based organizations provide services to vulnerable populations in the State through government contracts at reduced rates. However, a recent survey found that ninety-one percent of these organizations were resourced below the full operating costs required to provide the contracted services. According to testimony received by your Committee, government contract rates have not increased in the past decade, while program expenses, including wages, utilities, and administrative costs have all increased. This measure urges certain state departments and the Judiciary that contract with community-based organizations for critical public services to the State's vulnerable communities, such as support for victims of domestic violence, foster care and at-risk youth, low-income households and the elderly, and homeless families and individuals to ensure that the contracts are adequately resourced to cover the operating costs of these community-based organizations to assure the continuation of these essential services.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 143, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3872 (Joint) Government Operations and Judiciary on H.C.R. No. 171

The purpose and intent of this measure is to request state and county agencies responsible for removing deceased dogs and cats from public roadways to:

- (1) Check for, scan, and record the microchip of the deceased dog or cat, along with the location found, descriptive information about the pet, and any contact phone number, name, or address shown on the animal's tag or collar;
- (2) Timely notify county animal services or animal service contractors of the deceased dog or cat, including the microchip number, if any, location found, descriptive information about the pet, and any contact phone number, name or address shown on the pet's tag or collar; and
- (3) Allow county animal services or animal service contractors to use their staff or volunteers to follow up with the registered pet owners.

Your Committees received testimony in support of this measure from Animal Rights Hawai'i, Hawaiian Humane Society, and one individual.

Your Committees find that the state and county agencies responsible for removing deceased dogs and cats from public roadways do not take routine steps to ascertain the animals' owners, if any. Your Committees note that microchipping is one of the safest, most accessible, and most affordable identification tools for pet owners and since January 1, 2022, dog and cat owners in the State are required by law to microchip their pets. This measure will help provide closure for owners who have lost and continue to search for their dog or cat.

Your Committees have amended this measure by:

- (1) Amending its title to reflect its contents; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Government Operations and Judiciary that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 171, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 171, S.D. 1.

Signed by the Chairs on behalf of the Committees.
 Government Operations: Ayes, 4. Noes, none. Excused, 1 (Awa).
 Judiciary: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3873 (Joint) Water and Land and Housing on H.C.R. No. 140

The purpose and intent of this measure is to urge the Office of Planning and Sustainable Development to develop a scope of work or requests for proposals for bidders to perform their own analysis and methodology that will determine whether a development will contribute to the long-term fiscal sustainability of the State and respective county.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development.

Your Committees find that the Government Accountability Office predicts that state and county governments will operate with negative balances until 2060 without major policy change due to a combination of an aging population and the need to replace degrading infrastructure. Your Committees further find that fiscal sustainability is achievable and requires new development proposals to be not only evaluated against adopted development regulations and construction standards, but also in relation to the fiscal productivity of the project. Your Committees also find that proposed developments should be judged, in part, on their long-term fiscal cost or benefit to the city. Your Committees therefore believe that the Office of Planning and Sustainable Development should develop a scope of work or requests for proposals for bidders to perform their own analysis to determine whether or not a proposed development will contribute to the long-term sustainability of the State and respective county, which would give decisionmakers and the public useful information when renewing project proposals, plans, and zoning applications.

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 Water and Land and Housing that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 140, H.D. 1, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 140, H.D. 1, 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 (Awa).

SCRep. 3874 (Joint) Water and Land and Transportation and Culture and the Arts on H.C.R. No. 198

The purpose and intent of this measure is to request the State's congressional delegation to:

- (1) Advocate for the enforcement of existing international laws to reduce ghost nets entering the State from international waters;
- (2) Advocate for the establishment of a requirement for United States fishing vessels to mark their fishing gear; and
- (3) Create financial incentives to retrieve and dispose of floating fishing gear.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Friends of Hanauma Bay, and one individual.

Your Committees find that discarded or lost fishing nets in the ocean, otherwise known as ghost nets, regularly wash in from international waters to the reefs of Papahānaumokuākea Marine National Monument, causing harm to the reef and marine wildlife. Your Committees further find that the International Law of the Sea allows states to take action against vessels entering their ports if there is evidence that they have abandoned or negligently lost fishing gear, although gear is not marked in a way as to trace ownership. Your Committees conclude that Hawaii's congressional delegation should advocate for the enforcement of existing international law and the establishment of new requirements and financial incentives to reduce the number of ghost nets entering Hawaiian waters.

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 Water and Land 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. 198, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 198, S.D. 1.

Signed by the Chairs on behalf of the Committees.
 Water and Land: Ayes, 5. Noes, none. Excused, none.
 Transportation and Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3875 Water and Land on H.C.R. No. 9

The purpose and intent of this measure is to authorize the issuance of a perpetual, non-exclusive easement for the portion of state submerged lands fronting the property identified as tax map key: (1) 4-6-003:077, Heeia, Koolaupoko, Oahu, for the existing drain, and the use, repair, and maintenance of existing improvements constructed thereon, pursuant to section 171-53, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and 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 July 8, 2010, the Board of Land and Natural Resources, subject to conditions, approved a grant of a perpetual, non-exclusive easement to resolve the encroachment of the drain identified in this measure. Your Committee further finds that on December 13, 2019, the Board approved technical amendments to the 2010 Board approval to insert accurate legal references and to facilitate the easement documentation process. Your Committee concludes that the easement is necessary for the use, repair, and maintenance of the existing drain.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 9, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3876 Water and Land on H.C.R. No. 10

The purpose and intent of this measure is to authorize the issuance of a term, non-exclusive easement for the portion of state submerged lands fronting the property identified as tax map key: (1) 4-5-047:051, Kaneohe, Kooalaupoko, Oahu, for the existing boat ramp and concrete wall, and the use, repair, and maintenance of existing improvements constructed thereon, pursuant to section 171-53, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and three individuals.

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, the Board of Land and Natural Resources, subject to conditions, approved a grant of a twenty-five-year non-exclusive easement to resolve the encroachments of the boat ramp and concrete wall identified in this measure. Your Committee concludes that the easement is necessary for the use, repair, and maintenance of the existing boat ramp and concrete wall.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 10, H.D. 2, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4; Ayes with Reservations (McKelvey). Noes, none. Excused, 1 (Fevella).

SCRep. 3877 Water and Land on H.C.R. No. 11

The purpose and intent of this measure is to authorize the issuance of a term, non-exclusive easement for the portion of state submerged lands fronting the property identified as tax map key: (1) 3-5-058:011, Waialae-Iki, Honolulu, Oahu, for the existing seawall revetment, and the use, repair, and maintenance of existing improvements constructed thereon, pursuant to section 171-53, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and 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 April 14, 2023, 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 seawall revetment identified in this measure. Your Committee concludes that the easement is necessary for the use, repair, and maintenance of the existing seawall revetment.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 11, H.D. 2, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4; Ayes with Reservations (McKelvey). Noes, none. Excused, 1 (Fevella).

SCRep. 3878 Water and Land on H.C.R. No. 12

The purpose and intent of this measure is to authorize the issuance of a term, non-exclusive easement for the portion of state submerged lands fronting the property identified as tax map key: (1) 4-5-047:013, Kaneohe, Kooalaupoko, Oahu, for the existing concrete boat ramp, and the use, repair, and maintenance of existing improvements constructed thereon, pursuant to section 171-53, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and 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 May 12, 2023, 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 concrete boat ramp identified in this measure. Your Committee concludes that the easement is necessary for the use, repair, and maintenance of the existing concrete boat ramp.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 12, H.D. 2, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3879 Water and Land on H.C.R. No. 13

The purpose and intent of this measure is to authorize the issuance of a term, non-exclusive easement for the portion of state submerged lands fronting the property identified as tax map key: (1) 5-3-008:012, Hauula, Koolauloa, Oahu, for the existing riprap revetment, ramp, and rock groin, and the use, repair, and maintenance of existing improvements constructed thereon, pursuant to section 171-53, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and 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 August 26, 2022, the Board of Land and Natural Resources, subject to conditions, approved a grant of a twenty-five-year non-exclusive easement to resolve the encroachments of the riprap revetment, ramp, and rock groin identified in this measure. Your Committee concludes that the easement is necessary for the use, repair, and maintenance of the existing riprap revetment, ramp, and rock groin.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 13, H.D. 2, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3880 Water and Land on H.C.R. No. 14

The purpose and intent of this measure is to authorize the issuance of a term, non-exclusive easement for the portion of state submerged lands fronting the property identified as tax map key: (2) 3-8—014:022, Maalaea Beach Lots, Waikapu, Wailuku, Maui, for the existing seawall, and the use, repair, and maintenance of existing improvements constructed thereon, pursuant to section 171-53, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Ma'alaea Village Association, and six individuals.

Your Committee received comments on this measure from Milowai Maalaea AOA.

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, 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 identified in this measure. Your Committee notes that on January 8, 2021, the Board of Land Natural Resources approved an amendment to the decision made on October 9, 2015, to shorten the term of the non-exclusive easement from fifty-five to twenty-five years, or in the event the applicant is unsuccessful 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 concludes that the easement is necessary for the use, repair, and maintenance of the existing seawall.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 14, H.D. 2, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3881 Water and Land on H.C.R. No. 22

The purpose and intent of this measure is to authorize the issuance of a term, non-exclusive easement for the portion of state submerged lands fronting the property identified as tax map key: (1)3-1-039: seaward of 065, Waikiki, Honolulu, Oahu, for the construction, use, repair, and maintenance of concrete steps, pursuant to section 171-53, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and 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 13, 2023, 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 seawall identified in this measure. Your Committee concludes that the easement is necessary for the construction, use, repair, and maintenance of the concrete steps.

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 Water and Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 22, H.D. 2, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 22, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3882 (Joint) Government Operations and Housing on H.C.R. No. 118

The purpose and intent of this measure is to urge the counties to amend or adopt ordinances to be consistent with the Hawaii Housing Finance and Development Corporation's rules regarding residential income requirements on housing projects.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation.

Your Committees find that inconsistent housing regulations between the State and counties can contribute to the high cost of housing in the State. Your Committees further find that the State's housing strategies are undermined when the residential income requirements on certain housing projects established by the counties are lower than those adopted or established by the State. This measure alleviates the stress on residents and housing developers in the State by urging the counties to align their residential income requirements on housing projects with those adopted by the Hawaii Housing Finance and Development Corporation.

Your Committees note that while it is important for counties to have their own regulations in some projects, they must recognize that this could potentially cause a shortfall in funding for said projects. As such, in those instances, the county must come up with the needed funds to cover the shortfall from their own budget.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language to urge the counties to amend or adopt ordinances to be consistent with the Hawaii Housing Finance and Development Corporation's rules regarding not only residential income requirements, but also, affordability terms on housing projects or subsidize any resulting revenue shortfall to the housing project; and
- (2) Amending its title to reflect its amended purpose.

As affirmed by the records of votes of the members of your Committees on Government Operations and Housing that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 118, H.D. 1, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 118, H.D. 1, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Awa).

Housing: Ayes, 3. Noes, none. Excused, 2 (Chang, Awa).

SCRep. 3883 (Joint) Government Operations and Housing on H.C.R. No. 122

The purpose and intent of this measure is to request the counties to:

- (1) Amend or adopt an ordinance to allow religious, educational, or medical institutions to construct residential units on parcels of lands that are within the state urban land use district and zoned for residential or commercial use that:
 - (A) Limits any proposed development of residential units to less than fifteen acres and no greater than fifty percent of the parcel area; and
 - (B) Requires that any residential unit developed on a religious, educational, or medical institution's property be retained by the institution so long as the institution remains in existence; and
- (2) Make clear that it is not the intent of the ordinance to provide a process to allow developers to create a religious, educational, or medical institution for the sole purpose of circumventing the normal development process.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and Grassroot Institute of Hawaii.

Your Committees find that creative solutions, such as allowing certain institutions to develop residential units on their property, are necessary to address the housing shortage in the State. This measure seeks to expand development options in the State's housing market, thereby alleviating price pressure on the private market, preventing the displacement of long-standing residents, and ensuring that the State remains accessible across diverse housing prices and forms. Your Committees note that the changes outlined in this resolution have the potential to be helpful in creating kupuna housing near the future West Maui Hospital, as well as Department of Hawaiian Home Lands housing in the same area.

As affirmed by the records of votes of the members of your Committees on Government Operations and Housing that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 122, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Awa).

Housing: Ayes, 3. Noes, none. Excused, 2 (Chang, Awa).

SCRep. 3884 (Joint) Agriculture and Environment and Commerce and Consumer Protection on H.C.R. No. 161

The purpose and intent of this measure is to request the Department of Agriculture to:

- (1) Convene a working group to review the effectiveness of the relevant state laws governing agricultural-based commercial operations; and
- (2) Submit a report of the working group's findings and recommendations to the Legislature before the Regular Session of 2025.

Your Committees received testimony in support of this measure from Keep the North Shore Country, Hui o Kamamanui, Hawaii's Thousand Friends, and one individual.

Your Committees received comments on this measure from the Department of Agriculture.

Your Committees find that there are a number of contested cases alleging the abuse of the intent of Act 113, Session Laws of Hawaii 2012, (Act 113) by agricultural-based commercial operations on agricultural lands that do not necessarily support the agricultural production of those lands. According to testimony received by your Committees, these commercial operations sidestep county planning considerations, defy statewide efforts to protect agricultural land for agricultural production, and ultimately harm farmers by competing for precious land. Your Committees note that the purpose of this measure is to request more information on the issue while acknowledging that the Department of Agriculture does not have the regulatory authority within agricultural districts to enforce or make changes that the working group may recommend. The review of relevant state laws governing agricultural-based commercial operations requested by this measure ensures the intent of Act 113 to enable bona fide agricultural producers to continue to farm in the State and remain profitable.

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 concur with the intent and purpose of H.C.R. No. 161, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Awa).

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3885 (Joint) Labor and Technology and Government Operations on H.C.R. No. 29

The purpose and intent of this measure is to urge the United States Congress to support continued funding of the Affordable Connectivity Program.

Your Committees received testimony in support of this measure from the Office of the Lieutenant Governor, Verizon, Hawaiian Telcom, Charter Communications, Broadband Hui, and one individual.

Your Committees find that under the Affordable Connectivity Program administered by the Federal Communications Commission (FCC), eligible households in the State receive discounts on monthly broadband service and a one-time discount to purchase electronic devices from participating providers, allowing subscribers to afford internet speeds and devices sufficient for key online activities such as at-home learning, health care, banking, and public services. Furthermore, in areas of the State in which broadband is not available, the Affordable Connectivity Program incentivizes the deployment of new broadband infrastructure. Your Committees find, however, that the FCC is in the process of winding down this program that currently benefits over sixty thousand Hawaii households, due to insufficient congressional funding. Therefore, this measure urges continued funding of the Affordable Connectivity Program to ensure that low-income households in the State may continue to access vital online services and resources.

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 H.C.R. No. 29, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Labor and Technology: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3886 (Joint) Labor and Technology and Health and Human Services on H.C.R. No. 81

The purpose and intent of this measure is to request the Director of Labor and Industrial Relations to amend title 12, chapter 15, Hawaii Administrative Rules, to clarify that compensation for advanced practice registered nurses (APRNs) under the State's Workers' Compensation Law is distinct from compensation for registered nurses (RNs) and shall be one hundred percent of the fees authorized under the Medicare fee schedule.

Your Committees received testimony in support of this measure from the Hawaii's Affiliate of the American College of Nurse-Midwives; Carol A. Orr, MD LLC; and four individuals.

Your Committees received comments on this measure from the Hawai'i State Center for Nursing.

Your Committees find that existing rules adopted by the Department of Labor and Industrial Relations pertaining to the Workers' Compensation Medical Fee Schedule provide that fees for services provided by assistants to providers of service, such as licensed physician assistants and RNs, shall be eighty-five percent of the fees authorized by the Medicare Fee Schedule. Your Committees also find that in Hawaii, APRNs are distinct from RNs. Specifically, APRNs are primary care providers whose scope of practice exceeds that of RNs, and under the State's Workers' Compensation Law, APRNs are included in the definitions of health care provider and physician, who are entitled to receive one hundred percent of the fees authorized under the Medicare Fee Schedule. Your Committees find however, that because the language in the rules do not clearly distinguish APRNs from RNs, some insurance companies, many on the mainland, refuse to reimburse APRNs at a rate of one hundred percent, claiming that APRNs are assistants to providers of service. Therefore, this measure requests the Department of Labor and Industrial Relations to amend the rules to clarify that APRNs are distinct from RNs and shall be reimbursed at one hundred percent of the fees authorized by the Medicare Fee Schedule.

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 concur with the intent and purpose of H.C.R. No. 81, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Labor and Technology: Ayes, 3. Noes, none. Excused, 2 (Ihara, Fevella).

Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Awa).

SCRep. 3887 Labor and Technology on H.C.R. No. 80

The purpose and intent of this measure is to urge state executive departments that utilize the Department of Human Resources Development for hiring purposes to review minimum qualifications and compensation for class specifications for job postings and

provide suggestions, including alternative qualifications that can be used in lieu of existing minimum qualifications, to the Department of Human Resources Development.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services.

Your Committee finds that in 2022, there were almost four thousand vacant positions across the State's executive departments, which is anticipated to increase as thirty-three percent of the State's workforce is eligible to retire in the next five years. Your Committee further finds that the current hiring process limits a department's flexibility in hiring individuals because funding for a position may be tied to a particular class specification, which requires certain minimum qualifications most applicants for the position may not have. Therefore, this measure will enable state executive departments to share meaningful suggestions to improve the current process and increase the opportunity to recruit and hire qualified individuals capable of filling the growing vacancies.

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. 80, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Ihara, Fevella).

SCRep. 3888 (Majority) Hawaiian Affairs on H.C.R. No. 196

The purpose and intent of this measure is to urge the Hawaiian Homes Commission to consult beneficiaries of the Hawaiian Homes Commission Act of 1920, as amended, regarding alternative waitlist and award prioritization based upon lineal and generational descendancy for Hawaiian Home Lands located in Hana, Maui.

Your Committee received testimony in support of this measure from two individuals.

Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that there remains an extensive waitlist of native Hawaiian beneficiaries attempting to obtain leases of Hawaiian Home Lands. Under current practice, the Department of Hawaiian Home Lands gives priority to persons on the waitlist based upon their dates of application. Your Committee further finds that basing waitlist prioritization and awards on lineal and generational descentance may be a more culturally appropriate option, especially in rural and remote areas where higher concentrations of these descendants remain. Your Committee therefore believes that the Department of Hawaiian Home Lands should consult beneficiaries regarding this alternative waitlist and award prioritization which would help the Department of Hawaiian Home Lands to mitigate risks as the Department develops new projects and awards new lots in rural areas.

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

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 196, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 196, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3; Ayes with Reservations (Keohokalole, Richards). Noes, 1 (Fevella). Excused, 1 (Ihara).

SCRep. 3889 Housing on H.C.R. No. 131

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to develop a ten-year plan to satisfy Hawaii's housing demand.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation and CARES.

Your Committee finds that agencies such as the Hawaii Public Housing Authority are planning to develop a substantial number of homes over the next ten years. Your Committee further finds that the Hawaii Housing Finance and Development Corporation should be at the forefront of proactively working to alleviate the State's housing shortage. Therefore, this measure will require the Hawaii Housing Finance and Development Corporation to submit its ten-year plan to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025.

Your Committee notes the Hawaii Housing Finance and Development Corporation's concerns regarding the numerous obstacles it faces when developing housing within the State, such as insufficient infrastructure, restrictive land use and zoning policies, and lengthy and complex regulatory processes, among others. However, your Committee also notes that the State is experiencing a critical housing shortage with an urgent need for additional units to meet current and future demands. Your Committee further notes its frequent requests and urging of the Hawaii Housing Finance and Development Corporation to provide a similar plan in previous years.

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. 131, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 3890 Housing on H.C.R. No. 84

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to adopt administrative rules to create a process for housing projects to be exclusively for sale or rent to qualified residents.

Your Committee received testimony in support of this measure from CARES.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the Hawaii Housing Finance and Development Corporation requires certain housing projects to offer half of the available units to buyers whose income is at or below one hundred forty percent of the area median income. Your Committee further finds that existing law authorizes certain exemptions from statutes, ordinances, charter provisions, and rules relating to planning, zoning, development and improvement of land, and construction standards for certain housing projects developed by the Hawaii Housing Finance and Development Corporation or with an eligible developer under a government assistance program. However, residential units at all price points are needed to solve the chronic housing shortage for residents. Therefore, this measure will establish an alternate pathway for housing projects seeking an exemption from state laws and rules.

Your Committee notes the concerns raised in the Hawaii Housing Finance and Development Corporation's (HHFDC) testimony that, currently, only projects that are primarily affordable to households earning up to one hundred forty percent of the area median income qualify for expedited review under HHFDC's program pursuant to section 201H-38, Hawaii Revised Statutes. According to HHFDC, an alternative pathway would be a significant policy change and prefers the intent be accomplished through the passage of Senate Bill No. 2066, S.D. 2, H.D. 2, Regular Session of 2024, rather than this measure. Your Committee notes however, that the existing income restrictions identified by HHFDC were in fact established by administrative rules adopted by HHFDC, not by a bill passed by the Legislature.

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. 84, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 3891 Health and Human Services on Gov. Msg. Nos. 666 and 677

Recommending that the Senate advise and consent to the nominations of the following:

DISABILITY AND COMMUNICATION ACCESS BOARD

G.M. No. 666 GERALD ISOBE, for a term to expire 06-30-2027; and

G.M. No. 677 GERALD OHTA, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by Gerald Isobe and Gerald Ohta for service on the Disability and Communication Access Board.

GERALD ISOBE

Your Committee received testimony in support of the nomination for the appointment of Gerald Isobe from the Disability and Communication Access Board and two individuals.

Upon review of the testimony, your Committee finds that Mr. Isobe's experience, knowledge, and proven leadership on the Disability and Communication Access Board qualify him for appointment to the Disability and Communication Access Board as an individual with a disability. Your Committee notes that Mr. Isobe served for over forty years as an operating accountant with the United States Department of Defense and retired in September 2020 as a Senior Financial Management Analyst at the Naval Health Clinic Hawaii Headquarter. Mr. Isobe is also dedicated to community service evidenced by his service as the Vice President of the Hawaii Service on Deafness, Treasurer of the Aloha State Association of the Deaf. Your Committee further finds that Mr. Isobe has been serving on the Disability and Communication Access Board since 2019 and chairs the Board's Standing Committee on Communication Access, advocating for and bringing awareness of diverse communication access tools and methods to meet the Americans with Disabilities Act's definition of effective communication. Mr. Isobe's experience and knowledge will continue to be assets to the Disability and Communication Access Board. Your Committee therefore recommends that Gerald Isobe be appointed to the Disability and Communication Access Board based on his experience, knowledge, and commitment to public service.

GERALD OHTA

Your Committee received testimony in support of the nomination for the reappointment of Gerald Ohta from the Disability and Communication Access Board, State Health Planning and Development Agency, and two individuals.

Upon review of the testimony, your Committee finds that Mr. Ohta's experience, knowledge, and proven leadership on the Disability and Communication Access Board qualify him for reappointment to the Disability and Communication Access Board in the capacities of an individual with a disability and an individual knowledgeable in areas for which the Board has rulemaking authority. Your Committee notes that Mr. Ohta served the State for forty-seven years in various roles, including as the Department of Health's Affirmative Action Officer, Departmental Language Access Coordinator, and American with Disabilities Act Coordinator before his retirement in 2017. Mr. Ohta is also dedicated to community service and has served as the President of the Hawaii Public Health Association and a member of the American Public Health Association. Your Committee further finds that Mr. Ohta has been serving on the Disability and Communication Access Board since 2020 and is currently on the Board's Standing Committees on Parking and Transportation, offering his knowledge on disability issues as it relates to programs and services accessibility, communication access, accessible parking, and employment discrimination. Mr. Ohta's experience and knowledge will continue to be assets to the Disability and Communication Access Board. Your Committee therefore recommends that Gerald Ohta be reappointed to the Disability and Communication Access 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 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. 3892 Health and Human Services on Gov. Msg. Nos. 672, 673, and 674

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF CERTIFICATION OF PUBLIC WATER SYSTEM OPERATORS

G.M. No. 672 WILLIAM WHALEY, for a term to expire 06-30-2028;

G.M. No. 673 IAN ICHIMURA, for a term to expire 06-30-2028; and

G.M. No. 674 ZHAOHUI WANG, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by William Whaley, Ian Ichimura, and Zhaohui Wang for service on the Board of Certification of Public Water System Operators.

WILLIAM WHALEY

Your Committee received testimony in support of the nomination for the appointment of William Whaley from the Department of Health.

Upon review of the testimony, your Committee finds that Mr. Whaley's over twenty-five years of operational experience in drinking water distribution systems and water treatment plants and dedication to serving the public qualify him to be appointed to the Board of Certification of Public Water System Operators as an individual duly qualified in the fields of sanitary engineering or public water system operation. Mr. Whaley is currently the Chief of Utilities for the U.S. Army Installation Management Command at U.S. Army Garrison Hawaii, serving as the Water System Operator covering four public water systems, managing the water treatment plants and distribution system. Mr. Whaley built his career at U.S. Army Garrison Hawaii from the bottom up, starting as a helper and rising through numerous positions, including Plumbing Leader, Maintenance Mechanic Leader, and Plumbing Supervisor. In addition, Mr. Whaley is certified as a Grade 3 Distribution System Operator and a Grade 1 Water Treatment Plant Operator, and therefore, understands the value of a certification program. Furthermore, Mr. Whaley has served on the Board of Directors for Hawaii Rural Water Association, and has a thorough understanding of the role and responsibilities of board members. Your Committee finds that Mr. Whaley's professional experience and certifications will bring valuable insight to the Board of Certification of Public Water System Operators from an operator's perspective. Your Committee therefore recommends that William Whaley be appointed to the Board of Certification of Public Water System Operators based on his knowledge, background, and dedication to public service.

IAN ICHIMURA

Your Committee received testimony in support of the nomination for the appointment of Ian Ichimura from the Department of Health.

Upon review of the testimony, your Committee finds that Mr. Ichimura's over eleven years of operational experience in drinking water distribution systems and water treatment plants and dedication to serving the public qualify him to be appointed to the Board of Certification of Public Water System Operators as an individual duly qualified in the fields of sanitary engineering or public water system operation. Mr. Ichimura is currently the President of Pural Water Specialty Co., Inc., a company that employs distribution system and water treatment plant operators. As President, Mr. Ichimura is responsible for overseeing the company's operations of public water systems across the State. Before his promotion to President, Mr. Ichimura served as the company's Vice President and Finance and Operations Manager, responsible for the operation and maintenance of over twenty potable and non-potable water systems. Furthermore, Mr. Ichimura is certified as a Grade 3 Distribution System Operator and a Grade 2 Water Treatment Plant Operator, and therefore, understands the value of a certification program. Your Committee finds that Mr. Ichimura's professional experience and certifications will bring valuable insight to the Board of Certification of Public Water System Operators from both an operator's and small business owner's perspective.

ZHAOHUI WANG

Your Committee received testimony in support of the nomination for the appointment of Zhaohui Wang from the Department of Health.

Upon review of the testimony, your Committee finds that Mr. Wang's nearly ten years of experience as an Environmental Engineer with the Department of Health Safe Drinking Water Branch and dedication to serving the public qualify him to be appointed to the Board of Certification of Public Water System Operators as an individual duly qualified in the fields of sanitary engineering or public water system operation. Mr. Wang is currently the Acting Supervisor of the Compliance and Enforcement Section of the Department of Health Safe Drinking Water Branch, which issues operator certifications, ensures each public water system is operated by certified operators, and provides direct support to the Board of Certification of Public Water System Operators. Your Committee finds that Mr. Wang has a thorough understanding of the role and responsibilities of board members and his extensive experience in the field of public water system operation, providing technical assistance to water purveyors regarding drinking water regulations, will enhance the effectiveness of the Board of Certification of Public Water System Operators. Your Committee therefore recommends that Zhaohui Wang be appointed to the Board of Certification of Public Water System Operators based on his knowledge, background, and dedication 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, none. Excused, 1 (Awa).

SCRep. 3893 Health and Human Services on Gov. Msg. No. 548

Recommending that the Senate advise and consent to the nomination of the following:

HEALTH PLANNING COUNCIL, HAWAII COUNTY SUBAREA

G.M. No. 548 HANNAH PRESTON-PITA, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Hannah Preston-Pita for service on the Health Planning Council, Hawaii County Subarea.

Your Committee received testimony in support of the nomination for the appointment of Hannah Preston-Pita from the State Health Planning and Development Agency; Office of the Mayor of the County of Hawai'i; Health Planning Council, Hawai'i County Subarea; one member of the Hawai'i County Council; Ka Hale Pomaika'i; HinaMauka; and one individual.

Upon review of the testimony, your Committee finds that Dr. Preston-Pita's background and dedication to serving the public qualify her to be appointed to the Health Planning Council, Hawaii County Subarea. Dr. Preston-Pita received a doctorate and master's degree in Clinical Psychology from Argosy University and a doctorate in Education from Concordia University. Dr. Preston-Pita became a licensed clinical psychologist in 2008, and provided integrated behavioral health services and program development in rural areas of Oahu, including at Waimanalo Community Health Center and Kahuku Hospital. In 2011, Dr. Preston-Pita became a licensed clinical psychologist at the Big Island Substance Abuse Council, and was promoted to her current position of Chief Executive Officer in 2012. Your Committee finds that Dr. Preston-Pita has a thorough understanding of the role and responsibilities of board members and her extensive knowledge in clinical psychology and expertise in providing health care and support services in rural settings will continue to enhance the effectiveness of the Hawaii County Subarea Health Planning Council. Your Committee therefore recommends that Dr. Hannah Preston-Pita be appointed to the Health Planning Council, Hawaii County Subarea based on her knowledge, background, and dedication 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, 3. Noes, none. Excused, 2 (Keohokalole, Awa).

SCRep. 3894 Health and Human Services on Gov. Msg. No. 551

Recommending that the Senate advise and consent to the nomination of the following:

HEALTH PLANNING COUNCIL, HONOLULU SUBAREA

G.M. No. 551 TRISHA KAJIMURA, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Trisha Kajimura for service on the Health Planning Council, Honolulu Subarea.

Your Committee received testimony in support of the nomination for the appointment of Trisha Kajimura from the State Health Planning and Development Agency, American Lung Association in Hawai'i, Parents and Children Together, Mental Health America of Hawai'i, Hawai'i Alliance of Nonprofit Organizations, and three individuals.

Upon review of the testimony, your Committee finds that Ms. Kajimura's background and dedication to serving the public qualify her to be nominated for appointment to the Health Planning Council, Honolulu Subarea. Your Committee notes that Ms. Kajimura is currently the Vice President of Strategy and External Affairs at Parents and Children Together. Previously, Ms. Kajimura has held numerous leadership roles at various health organizations, including Deputy Director at Hawai'i Health & Harm Reduction Center from 2021 to 2023; Director of Business Development and Public Relations at Sutter Health Kahi Mohala from 2020 to 2021; Executive Director at Mental Health America of Hawai'i from 2016 to 2020; and Social Policy Director at Catholic Charities Hawai'i from 2012 to 2016. Your Committee also notes that Ms. Kajimura holds a Master of Public Health degree from the University of Hawaii at Manoa. Your Committee further notes that Ms. Kajimura has served on various boards and advisory committees, including as a member of the Hawaii Public Association Board of Directors, Hawaii Alliance of Non-Profit Organization Board of Directors, Western Region Public Health Training Center Advisory Board, and Public Health Training Hui Advisory Committee, and therefore has a thorough understanding of the role and responsibilities of council members. Your Committee finds that Ms. Kajimura's extensive experience in public health administration and community involvement will enhance the effectiveness of the Honolulu Subarea Health Planning Council. Your Committee therefore recommends that Trisha Kajimura be appointed to the Health Planning Council, Honolulu Subarea based on her knowledge, background, and dedication 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, 3. Noes, none. Excused, 2 (Keohokalole, Awa).

SCRep. 3895 Health and Human Services on Gov. Msg. No. 553

Recommending that the Senate advise and consent to the nomination of the following:

HEALTH PLANNING COUNCIL, TRI-ISLE SUBAREA

G.M. No. 553 RAHNIA BOYER, for a term to expire 06-30-2024

Your Committee reviewed the personal history, resume, and statement submitted by Rahnia Boyer for service on the Health Planning Council, Tri-Isle Subarea.

Your Committee received no testimony for the nomination for the appointment of Rahnia Boyer.

Your Committee finds that Ms. Boyer's background and extensive experience in health care operations qualify her to be nominated for appointment to the Health Planning Council, Tri-Isle Subarea. Your Committee notes that Ms. Boyer has nearly twenty years of leadership experience in the health care industry in Hawaii and Alaska, and therefore understands the need for strategic planning, transparent communication, and collaborative efforts in addressing the various issues relating to the provision of health care in rural settings. Ms. Boyer is currently the Executive Director at Lanai Community Health Center and Vice President of Village Health at Yukon-Kuskokwim Health Corporation. Ms. Boyer has held leadership roles at various health care organizations, including serving as the Vice President of Workforce Development, Education Director, and Nicotine Control and Research Program Manager at Yukon-Kuskokwim Health Corporation and as the Chronic Care Active Management and Prevention Director at Norton Sound Health Corporation. Your Committee also notes that Ms. Boyer received a master's degree in Communication and Leadership from Gonzaga University. Furthermore, Ms. Boyer has a thorough understanding of the role and responsibilities of council members through her previous service on the federally appointed Community Health Aide Program Certification Board in Alaska. Your Committee finds that Ms. Boyer's knowledge and expertise in health care management in rural settings will continue to enhance the effectiveness of the Tri-Isle Subarea Health Planning Council. Your Committee therefore recommends that Rahnia Boyer be appointed to the Health Planning Council, Tri-Isle Subarea based on her experience, knowledge, and 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, 3. Noes, none. Excused, 2 (Keohokalole, Awa).

SCRep. 3896 Health and Human Services on Gov. Msg. No. 554

Recommending that the Senate advise and consent to the nomination of the following:

HEALTH PLANNING COUNCIL, WINDWARD OAHU SUBAREA

G.M. No. 554 CHERIE CHU, for a term to expire 06-30-2024

Your Committee reviewed the personal history, resume, and statement submitted by Cherie Chu for service on the Health Planning Council, Windward Oahu Subarea.

Your Committee received testimony in support of the nomination for the appointment of Cherie Chu from the State Health Planning and Development Agency and University of Hawai'i System.

Upon review of the testimony, your Committee finds that Dr. Chu's background and extensive experience in the health care field qualify her to be nominated for appointment to the Health Planning Council, Windward Oahu Subarea. Your Committee notes that Dr. Chu is a Board Certified Clinical Care Pharmacist with a Doctor of Pharmacy degree from the University of Hawaii at Hilo. Dr. Chu has been serving as a Clinical Pharmacist at The Queen's Medical Center Emergency Department since 2014, and as a practicing Associate Professor at the University of Hawaii at Hilo Daniel K. Inouye College of Pharmacy, serving as an ICU Clinical Pharmacist at Adventist Health Castle Medical Center since 2013. Dr. Chu teaches multiple pharmacy courses, has co-authored peer-reviewed health publications, and conducted numerous continuing education presentations and research projects. Your Committee also notes that Dr. Chu's experience as a front-line worker during the coronavirus disease 2019 pandemic has given her valuable insights into the inequities in the current health care system, gaps in care, community health needs, and the importance of collaboration and advocacy in achieving positive health outcomes. Your Committee acknowledges testimony stating that Dr. Chu has been serving as a valuable member of the Windward Oahu Subarea Health Planning Council, and find that her skills, expertise, and knowledge in emergency and acute care and over ten years of experience as a licensed pharmacist will continue to increase the effectiveness of the Council. Your Committee therefore recommends that Cherie Chu be appointed to the Health Planning Council, Windward Oahu Subarea based on her knowledge, experience, 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, 3. Noes, none. Excused, 2 (Keohokalole, Awa).

SCRep. 3897 Health and Human Services on Gov. Msg. No. 670

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII CHILDREN'S TRUST FUND ADVISORY BOARD

G.M. No. 670 WENDY BOTELHO-CORTEZ, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Wendy Botelho-Cortez for service on the Hawaii Children's Trust Fund Advisory Board.

Your Committee received testimony in support of the nomination for the appointment of Wendy Botelho-Cortez from the YMCA of Honolulu, Hilo Y's Men & Women's Club, Zonta Club of Hilo, Hawaii State Coalition Against Domestic Violence, and six individuals.

Upon review of the testimony, your Committee finds that Ms. Botelho-Cortez's background and dedication to advancing youth and strengthening families in the State qualify her to be appointed to the Hawaii Children's Trust Fund Advisory Board as a member appointed by the Governor from a list of seven names submitted by the Hawaii Community Foundation. Your Committee notes that Ms. Botelho-Cortez has held various roles in the field of social work since 1992, including over twenty-one years of service as a Social Worker for various State departments including the Department of Health Developmental Disabilities Division, Department of Human Services Child Welfare Services Branch (CWS), and Department of Public Safety Hawaii Community Correctional Center. Your Committee further notes that Ms. Botelho-Cortez's experience at the Department of Health and CWS, both in case management positions and as a foster parent, legal guardian, and adoptive parent, and being the legal guardian of a child with mental health issues has provided her with a deep understanding of the needs and challenges Hawaii's keiki and families face on a daily basis. Ms. Botelho-Cortez is currently the Chief Executive Officer for the Island of Hawaii YMCA. Previously, Ms. Botelho-Cortez was an Activities Director for the Hilo Legacy Rehabilitation and Nursing Center. Your Committee finds that Ms. Botelho-Cortez has a thorough understanding of the role and responsibilities of board members and her extensive experience in social work and personal experience as a parent and legal guardian will enhance the effectiveness of the Hawaii Children's Trust Fund Advisory Board. Your Committee therefore recommends that Wendy Botelho-Cortez be appointed to the Hawaii Children's Trust Fund Advisory Board based on her knowledge, background, and dedication to the well-being of Hawaii's youth.

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, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3898 Water and Land on Gov. Msg. No. 695

Recommending that the Senate advise and consent to the nomination of the following:

HAWAI'I COMMUNITY DEVELOPMENT AUTHORITY (KAKAAKO DISTRICT)

G.M. No. 695 MICHAEL CHINA, for a term to expire 06-30-2028. (term to expire amended to 06-30-2025 by GM749)

Your Committee reviewed the personal history, resume, and statement submitted by Michael China for service on the Hawai'i Community Development Authority (Kakaako District).

Your Committee received testimony in support of the nomination for the appointment of Michael China from the Hawai'i Community Development Authority and two individuals.

Upon review of the testimony, your Committee finds that Mr. China's experience, background, and dedication to the redevelopment of the Kakaako Community District qualify him for appointment to the Hawai'i Community Development Authority as a member. Your Committee notes that Mr. China is currently employed by the Ho'ea Wealth Advisory Group, the only wealth management team from Hawaii to be listed on Forbes' rankings of top wealth management teams. Mr. China is active in his community and serves on the advisory board for McKinley High School's Business Academy, and is also the head coach of Punahou's Varsity Division II boys' volleyball team. Your Committee finds that Mr. China thoroughly understands the roles and responsibilities of board members and his knowledge, experience, and desire to responsibly develop the Kakaako Community will be assets to the Hawai'i Community Development Authority. Your Committee therefore recommends that Michael China be appointed to the Hawai'i Community Development Authority for matters affecting the Kakaako District based on his knowledge, experience, and willingness to serve the public.

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, 3. Noes, none. Excused, 2 (Chang, Fevella).

SCRep. 3899 Water and Land on Gov. Msg. No. 696

Recommending that the Senate advise and consent to the nomination of the following:

HAWAI'I COMMUNITY DEVELOPMENT AUTHORITY (KALAELOA DISTRICT)

G.M. No. 696 MIKI'ALA LIDSTONE, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Miki'ala Lidstone for service on the Hawai'i Community Development Authority (Kalaeloa District).

Your Committee received testimony in support of the nomination for the appointment of Miki'ala Lidstone from the Hawai'i Community Development Authority and two individuals.

Upon review of the testimony, your Committee finds that Ms. Lidstone's experience, background, and dedication to the redevelopment of the Kalaeloa District qualify her for appointment to the Hawai'i Community Development Authority as a member. Your Committee notes that since December 2014, Ms. Lidstone has been the Executive Director of Ulu A'e Learning Center where she manages and directs culturally grounded, place-based out-of-school and community programs and events in West Oahu. Before her employment at Ulu A'e, Ms. Lidstone was a Hawaiian Language and English teacher at Kapolei High School from 2004 to 2018. Ms. Lidstone is involved in her community and has volunteered as a Kumu Hula at Halau 'O Kaululaua'e since 2005. Your Committee finds that Ms. Lidstone thoroughly understands the role of board members and her knowledge, experience, and desire to nurture community engagement will be assets to the Hawai'i Community Development Authority. Your Committee therefore recommends that

Miki'ala Lidstone be appointed to the Hawai'i Community Development Authority for matters affecting the Kalaeloa District based on her knowledge, experience, and willingness to serve the public.

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, 3. Noes, none. Excused, 2 (Chang, Fevella).

SCRep. 3900 Water and Land on Gov. Msg. No. 697

Recommending that the Senate advise and consent to the nomination of the following:

HAWAI'I COMMUNITY DEVELOPMENT AUTHORITY (PULEHUNUI DISTRICT)

G.M. No. 697 GLENN YAMASAKI KIMURA, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Glenn Yamasaki Kimura for service on the Hawai'i Community Development Authority (Pulehunui District).

Your Committee received testimony in support of the nomination for the appointment of Glenn Yamasaki Kimura from the Hawai'i Community Development Authority and five individuals.

Upon review of the testimony, your Committee finds that Mr. Yamasaki Kimura's experience, background, and dedication to the redevelopment of the Pulehunui District qualify him for appointment to the Hawai'i Community Development Authority as a member representing small business owners and officers or directors of non-governmental organizations. Your Committee notes that Mr. Yamasaki Kimura is the current President of No Ka Oi Energy, LLC, a renewable energy development company, where he is responsible for sales and marketing, procurement of engineering partners, development of marketing material, raising of capital, market research and analysis, and contract negotiation. Mr. Yamasaki Kimura is involved in his community, having served as a Trustee and Treasurer of Seabury Hall since 2014 and as a member of the Maui Economic Opportunity Board since 2022. Your Committee finds that Mr. Yamasaki Kimura thoroughly understands the role and responsibilities of board members and his knowledge, experience, and desire to responsibly develop the Pulehunui District will enhance the effectiveness of the Hawai'i Community Development Authority. Your Committee therefore recommends that Glenn Yamasaki Kimura be appointed to the Hawai'i Community Development Authority for matters affecting the Pulehunui District based on his knowledge, experience, and willingness to serve the public.

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, 3. Noes, none. Excused, 2 (Chang, Fevella).

SCRep. 3901 Water and Land on Gov. Msg. Nos. 698 and 699

Recommending that the Senate advise and consent to the nominations of the following:

LAND USE COMMISSION

G.M. No. 698 MYLES MIYASATO, for a term to expire 06-30-2025; and

G.M. No. 699 KEN HAYASHIDA, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by Myles Miyasato and Ken Hayashida for service on the Land Use Commission.

MYLES MIYASATO

Your Committee received testimony in support of the nomination for the appointment of Myles Miyasato from the Land Use Commission, Office of the Mayor of the County of Hawai'i, County of Hawai'i Planning Department, one member of the Hawai'i County Council, Hawaii State AFL-CIO, Operating Engineers Local Union No. 3, Hawai'i Nurses Association – OPEIU Local 50, and three individuals.

Upon review of the testimony, your Committee finds that Mr. Miyasato's experience, background, and commitment to public service qualify him for appointment to the Land Use Commission. Your Committee notes that, after graduating from the carpentry program at Maui Community College, Mr. Miyasato was employed by a Maui-based engineering firm as a land surveyor and draftsman. Mr. Miyasato also worked at the Hawai'i Operating Engineers Stabilization Fund for seventeen years before retiring as the Executive Director. Mr. Miyasato is active in his community, serving as Chair of the Hawai'i County Cost of Government Commission, as a member of the County's Transportation Commission, and as a member and Chair of the East Hawai'i Planning Commission. Your Committee finds that Mr. Miyasato thoroughly understands the role and responsibilities of commissioners and his experience, knowledge, and dedication to public service will enhance the effectiveness of the Land Use Commission. Your Committee therefore recommends that Myles Miyasato be appointed to the Land Use Commission based on his experience, knowledge, and desire to serve the public.

KEN HAYASHIDA

Your Committee received testimony in support of the nomination for the appointment of Ken Hayashida from the Land Use Commission; Office of the Mayor of the County of Hawai'i; County of Hawai'i Planning Department; Research Corporation of the

University of Hawai'i; Hawaii State AFL-CIO; General Contractors Association of Hawaii; Operating Engineers Local Union No. 3; Akinaka and Associates, LTD.; NAIOP Hawaii; and nine individuals.

Upon review of the testimony, your Committee finds that Mr. Hayashida's experience, background, and commitment to public service qualify him for appointment to the Land Use Commission. Your Committee notes that Mr. Hayashida is currently the President of KAI Hawaii, Inc., a structural engineering firm. Prior to his employment at KAI Hawaii, Inc., Mr. Hayashida worked as a structural engineer, project engineer, and project manager at various companies. Mr. Hayashida is active in his community and has served as a member or chair or director of various organizations, including the Research Corporation of the University of Hawaii, City and County of Honolulu Planning Commission, American Council of Engineering Companies, and State of Hawaii Earthquake Advisory Board. Your Committee finds that Mr. Hayashida thoroughly understands the role of commissioners and his expertise, experience, and knowledge will enhance the effectiveness of the Land Use Commission. Your Committee therefore recommends that Ken Hayashida be appointed to the Land Use Commission based on his experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Water and Land that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3902 (Majority) Water and Land on Gov. Msg. No. 594

Recommending that the Senate advise and consent to the nomination of the following:

DEPUTY DIRECTOR, DEPARTMENT OF LAND AND NATURAL RESOURCES

G.M. No. 594 RYAN KANAKA'OLE, for a term to expire 12-31-2026. (Term expiration date amended to 12-07-26 by GM693)

Your Committee reviewed the personal history, resume, and statement submitted by Ryan Kanaka'ole for service as the Deputy Director of the Department of Land and Natural Resources.

Your Committee received testimony in support of the nomination for the appointment of Ryan Kanaka'ole from the Office of the Governor; Department of Budget and Finance; Department of Land and Natural Resources; Department of Corrections and Rehabilitation; Department of Agriculture; Department of Labor and Industrial Relations; Department of Hawaiian Home Lands; Department of Transportation; Department of Taxation; Department of Law Enforcement; Department of Commerce and Consumer Affairs; Department of Defense; Department of Business, Economic Development, and Tourism; Department of Health; Department of Accounting and General Services; Hawaii Housing Finance and Development Corporation; Hawaii Public Housing Authority; Hawai'i State Energy Office; Agribusiness Development Corporation; Hawaii State Aha Moku; Division of State Parks of the Department of Land and Natural Resources; Office of Enterprise Technology Services; Kaho'olawe Island Reserve Commission; one member of the Hawai'i County Council; and fifty-four individuals.

Your Committee received comments on the nomination for the appointment of Ryan Kanaka'ole from one individual.

Upon review of the testimony, your Committee finds that Mr. Kanaka'ole's extensive experience in various state and county positions and community involvement qualify him for appointment to the position of Deputy Director of the Department of Land and Natural Resources.

Your Committee finds that Mr. Kanaka'ole has served as the interim Deputy Director of the Department of Land and Natural Resources since January 2024 where he assumed the role of Legislative Coordinator, reviewing and weighing in on hundreds of bills that directly impact the Department. Mr. Kanaka'ole previously served as a Deputy Attorney General, providing counsel for the Hawai'i Housing Finance and Development Corporation, Mauna Kea Stewardship Oversight Authority, and Department of Hawaiian Home Lands. In addition to his service in the Department of the Attorney General, Mr. Kanaka'ole served as General Counsel and as an analyst in the Office of the Auditor, as Deputy Corporation Counsel in the Office of the Corporation Counsel of Hawai'i County, and as a Law Clerk to the Honorable Steven S. Alm in the First Circuit Court of Hawai'i. Mr. Kanaka'ole's legal expertise in real property, land use, Native Hawaiian law, civil litigation, trusts, contracts, and administrative law will enhance the effectiveness of the Department of Land and Natural Resources.

Your Committee further finds that Mr. Kanaka'ole is active in his community and served on the Board of Directors for Nā Mamo o Kāwā, a 501(c)(3) nonprofit organization that provides cultural and environmental stewardship for seven hundred eighty-five acres of undeveloped shoreline in the Ka'ū District of Hawai'i Island from 2017 to 2020. While there, he created the group's coastal and dryland forest revegetation program and secured over \$250,000 in grant funding. Your Committee notes that Mr. Kanaka'ole served as the O'ahu Director for the Young Lawyers Division of the Hawai'i State Bar Association from 2020 to 2021. Mr. Kanaka'ole holds a Bachelor of Arts in Political Science with Highest Honors from the University of Hawai'i at Hilo and a Juris Doctor and Certificate in Native Hawaiian Law from the University of Hawai'i at Mānoa's William S. Richardson School of Law.

Testifiers frequently highlight Mr. Kanaka'ole's calmness and even temperament, his cultural foundation growing up in Ka'ū, and work with community stakeholders who share a similar mission to the Department of Land and Natural Resources that benefits both the Department and the people of Hawaii. Mr. Kanaka'ole's experience, effective leadership, and utmost dedication to his job and his community will be assets to the Department of Land and Natural Resources. Your Committee therefore recommends that Ryan Kanaka'ole be appointed to the position of Deputy Director of the Department of Land and Natural Resources based on his experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.

Ayes, 3; Ayes with Reservations (McKelvey). Noes, 1 (Chang). Excused, 1 (Fevella).

SCRep. 3903 Higher Education on H.C.R. No. 205

The purpose and intent of this measure is to urge the University of Hawaii to adopt and publicize a statewide equity statement.

Your Committee received testimony in support of this measure from the University of Hawai'i System.

Your Committee finds that college and university-based diversity, equity, and inclusion initiatives provide critical support to their respective student populations. However, diversity, equity, and inclusion initiatives have faced scrutiny and attacks in recent years, threatening academic freedom and undermining future student success. Your Committee further finds that the University of Hawaii has made substantial contributions to the work of diversity, equity, and inclusion at all ten campuses in the University of Hawaii System, creating opportunities for historically underrepresented populations in higher education, including Native Hawaiians, Pacific Islanders, Filipinos, first-generation college students, and Pell Grant recipients. Therefore, this measure urges the adoption and publication of a statewide equity statement to affirm support and demonstrate the importance of diversity, 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 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, 5. Noes, none. Excused, none.

SCRep. 3904 Health and Human Services on H.C.R. No. 172

The purpose and intent of this measure is to request the Director of Health to convene a working group to address issues relating to patient transfer and ambulance services and evaluate potential solutions.

Your Committee received testimony in support of this measure from the Hawaii Medical Association, Air Methods Corporation, Hawaii Chapter of the American College of Emergency Physicians LLC, and one individual.

Your Committee received comments on this measure from the Department of Health and American Medical Response.

Your Committee finds that patients on Oahu and the neighbor islands are currently experiencing significant delays in receiving necessary health care while waiting for transfer to a facility that can provide a higher level of care. Your Committee further finds that only one company, Hawaii Life Flight, offers air ambulance services for neighbor islands, and that American Medical Response is the sole private ground ambulance and primary provider of inter-facility transport on Oahu, considering that Honolulu Emergency Medical Services' primary focus is emergency 911 responses. Your Committee additionally finds that the input, expertise, and collaborative efforts of the many stakeholders involved in providing care to patients throughout the State is necessary to develop and evaluate potential solutions to address issues with the current patient transfer and ambulance system. Therefore, this measure requests the convening of a working group to allow relevant stakeholders to collaborate to address these issues and evaluate potential solutions.

Your Committee has amended this measure by:

- (1) Clarifying that the stakeholders requested to be invited to serve on the working group as transportation service providers include current and future air and ground transportation service providers; and
- (2) Making 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. 172, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 172, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3905 Public Safety and Intergovernmental and Military Affairs on H.C.R. No. 52

The purpose and intent of this measure is to urge the Department of Law Enforcement, fire departments and police departments of each county, humane societies in each county, and media organizations throughout the State to collaborate to create and disseminate public service announcements to highlight the dangers of, and advocate against the use of, illegal fireworks in order to protect the health and safety of the community, pets, and wildlife.

Your Committee received testimony in support of this measure from the Department of Law Enforcement, Department of Land and Natural Resources, and one individual.

Your Committee finds that illegal fireworks in Hawaii pose significant safety, environmental, and health issues throughout the State. Your Committee further finds that while fireworks are viewed as generally safe, injuries are common, psychological trauma can occur, and animals and wildlife are at severe risk. Your Committee concludes that a collaboration with the Department of Law Enforcement, fire departments and police departments of each county, humane societies in each county, and media organizations throughout the State to disseminate a Public Service Announcement is necessary to reduce the significant widespread effects of fireworks.

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. 52, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 52, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3906 Public Safety and Intergovernmental and Military Affairs on H.C.R. No. 134

The purpose and intent of this measure is to request the Hawaii Emergency Management Agency to identify and submit a request for an appropriate grant, including but not limited to a hazard mitigation assistance grant or pre-disaster mitigation program grant, to the Federal Emergency Management Agency for rockfall mitigation in Moanalua Gardens and Moanalua Valley, Oahu, under the Tripler Army Medical Center hillside.

Your Committee received no testimony on this measure.

Your Committee finds that on Oahu, the Moanalua Gardens and Moanalua Valley communities are considered a high-risk zone for landslides and rockfalls. Your Committee further finds that because of federal jurisdiction over hillsides near these areas, the United States Army Corps of Engineers has previously conducted rockfall mitigation projects to ensure the safety of federally owned buildings such as Tripler Army Medical Center. Your Committee concludes that while the Hawaii Emergency Management Agency is responsible for planning for and responding to natural and human-caused emergencies in the State, federal assistance from the Federal Emergency Management Agency is necessary to ensure the safety of the Moanalua Gardens and Moanalua Valley communities.

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

As affirmed by the record of votes of the members of your Committee on 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. 134, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 134, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3907 Public Safety and Intergovernmental and Military Affairs on H.C.R. No. 160

The purpose and intent of this measure is to request the Women's Corrections Implementation Commission to develop a strategy and make recommendations to reduce the number of women incarcerated at the Women's Community Correctional Center by twenty-five percent by 2029.

Your Committee received testimony in support of this measure from the Judiciary, Department of Corrections and Rehabilitation, Criminal Justice Research Institute, ACLU of Hawai'i, Women's Prison Project, YWCA O'ahu, Hawai'i Friends of Restorative Justice, Adult Friends for Youth, and five individuals.

Your Committee finds that a task force established by House Concurrent Resolution No. 85, H.D. 2, S.D. 1, Regular Session of 2016, found that the current model of prisons in the State reinforces institutionalized thought patterns and re-traumatizes women. Your Committee further finds that the lack of progress diverting women from the criminal justice system can be traced to two failings: the lack of a definite, measurable goal by which to reduce the number of incarcerated women and a lack of resources allocated to proven community-based rehabilitative programs. Your Committee concludes that it is imperative to establish policy changes regarding probation, parole, and restitution; set measurable goals to reduce the number of incarcerated women; and provide sufficient resources to community-based programs to include mental health counseling, drug and alcohol treatment, education, and job training to improve the prison system for incarcerated women and reduce the amount of women incarcerated.

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. 160, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 160, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3908 (Joint) Public Safety and Intergovernmental and Military Affairs and Judiciary on H.C.R. No. 194

The purpose and intent of this measure is to request the Department of Law Enforcement to conduct a study to determine if xylazine testing strips should be excluded from the State's definition of drug paraphernalia.

Your Committees received testimony in support of this measure from the Department of Law Enforcement, Department of Health Alcohol and Drug Division, and Hawaii Substance Abuse Coalition.

Your Committees find that recently criminal fentanyl manufacturers are combining xylazine, a sedative commonly used in veterinary medicine, with fentanyl to create a potent drug combination that increases the likelihood of a fatal drug overdose. Your Committees further find that legislatures across the country have altered their drug paraphernalia laws to either explicitly legalize fentanyl test strips or generally legalize drug testing equipment in order to combat fentanyl overdoses. Your Committees conclude that to decrease fatal overdoses within the State, it is necessary for the Department of Law Enforcement to study if xylazine testing strips should be excluded from the State's definition of drug paraphernalia.

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. 194, H.D. 1, 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 (Awa).

Judiciary: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3909 Health and Human Services on H.C.R. No. 71

The purpose and intent of this measure is to request the Department of Health to convene a Stakeholder Working Group to make recommendations to enhance meaningful access to health care in the State through the provision of language assistance services.

Your Committee received testimony in support of this measure from the Department of Health, Office of Language Access, State Health Planning and Development Agency, Hawai'i Coalition for Immigrant Rights, Hawai'i Friends of Civil Rights, AlohaCare, Hawai'i Primary Care Association, Hawai'i Appleseed Center for Law and Economic Justice, Hawai'i Children's Action Network Speaks!, Hawai'i Alliance for Progressive Action, Hawaii Medical Service Association, and three individuals.

Your Committee finds that Title VI of the Civil Rights Act of 1964 mandates recipients of federal financial assistance to take reasonable steps to provide meaningful access to programs, services, and activities for limited English proficient persons. Your Committee further finds that while major hospitals across the State have made strides in addressing language barriers, much remains to be done to ensure comprehensive language access in health care settings to guarantee equitable and effective communication for all individuals, particularly those with limited English proficiency. This measure requests the convening of a Stakeholder Working Group to make recommendations to improve effective communication in health care and human services to prevent misdiagnosis, delayed medical treatment, and language access barriers to necessary services and programs.

Your Committee has amended this measure by:

- (1) Inserting language to request the Department of Health to invite at least one limited English proficient individual with experience accessing health services to participate in the Stakeholder Working Group;
- (2) Inserting language to request the Stakeholder Working Group's study and assessment of language access in health care settings across the State and on each island in the State to include the benefits and impacts of technologies such as artificial intelligence; 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 concurs with the intent and purpose of H.C.R. No. 71, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 71, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3910 Health and Human Services on H.C.R. No. 187

The purpose and intent of this measure is to request the Legislative Reference Bureau to conduct a study on best practices for nurse staffing in health care facilities.

Your Committee received testimony in support of this measure from the Hawaii State AFL-CIO, Hawai'i Nurses' Association-OPEIU Local 50, and one individual.

Your Committee received comments on this measure from the Legislative Reference Bureau, Healthcare Association of Hawaii, and Hawai'i State Center for Nursing.

Your Committee finds that the State is facing a persistent health care staffing shortage, which has been exacerbated by the challenges posed by the coronavirus disease 2019 pandemic. Your Committee further finds that as a result of this ongoing shortage, the staff-to-patient ratio has greatly increased, leading to working conditions becoming increasingly unpredictable and unsafe and increasing the rate of burnout among health care professionals. This measure requests the Legislative Reference Bureau to conduct a study to identify best practices in labor standards for health care facilities to help inform lawmakers on how to improve working conditions for health care professionals and increase recruitment and retention.

Your Committee notes the concerns raised in the Legislative Reference Bureau's testimony that the Bureau lacks specific subject matter expertise necessary to conduct the requested study and that they do not have any staff with specific expertise in or particular knowledge of matters relating to health care, health care staffing, patient safety and best practices, or occupational safety. Therefore, there is a need to amend this measure to limit the scope of the requested study.

Accordingly, your Committee has amended this measure by:

- (1) Removing language that would have requested the Legislative Reference Bureau to conduct a study on best practices for nurse staffing in health care facilities which would assess and discuss:
 - (A) Best practices, as set forth by entities such as The Joint Commission, on staffing for hospitals and other settings of care;
 - (B) The effectiveness of different types of staffing standards in ensuring patient and worker safety, and quality of care;
 - (C) Existing staffing standards and regulations in other states;
 - (D) Alternative approaches to staffing standards, such as acuity-based staffing models or nurse-driven staffing decisions;
 - (E) The experiences and perspectives of health care professionals, including nurses, administrators, and other stakeholders, regarding staffing standards;
 - (F) The potential benefits and challenges associated with implementing staffing standards in Hawaii; and

- (G) The costs of implementing various staffing standards, including nurse-to-patient ratios;
- (2) Inserting language to request the Legislative Reference Bureau to conduct a study on best practices for nurse staffing in health care facilities which shall assess and discuss:
- (A) Existing nursing staffing standards and regulations in other states; and
- (B) A literature review of best practices for staffing and workforce development, along with successful efforts in other states to address the nursing workforce shortage; 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 H.C.R. No. 187, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 187, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3911 Energy, Economic Development, and Tourism on H.C.R. No. 184

The purpose and intent of this measure is to request the Department of Business, Economic Development, and Tourism to collaborate with universities in the State to convene the Hawaii Creative Innovation Group.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and University of Hawai'i System.

Your Committee finds that the fashion and music industries in the State contribute to economic growth, job creation, cultural preservation, and tourism development, and that the State's diverse ecosystem of artists, venues, recording studios, and educational institutions strengthens the State's cultural identity and enriches the lives of residents and visitors alike. Your Committee further finds that fashion and design education programs in the University of Hawaii System and at other universities in the State can provide the training necessary to advance creative entrepreneurs in these industry sectors. This measure therefore requests the convening of the Hawaii Creative Innovation Group to develop a strategy by which the State can grow emerging creative sectors into new brands, music placement, music sectors, companies, and value-added businesses in design, fashion, and technology.

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. 184, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4; Ayes with Reservations (Kim, Fevella). Noes, none. Excused, 1 (DeCoite).

SCRep. 3912 Energy, Economic Development, and Tourism on H.C.R. No. 70

The purpose and intent of this measure is to request the Department of Business, Economic Development, and Tourism to convene a Sports Wagering Working Group to conduct an analysis of the potential legalization and regulation of online sports wagering in Hawaii.

Your Committee received testimony in support of this measure from DraftKings Inc. and Sports Betting Alliance.

Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism and SidePrize LLC d/b/a PrizePicks.

Your Committee finds that a robust illegal sports betting market thrives in the absence of a legal, regulated framework. Your Committee further finds that by channeling sports wagering activity into a responsible, regulated, and legal market, the State stands to gain millions of dollars each year in additional tax revenue. This measure requests the convening of a Sports Wagering Working Group to analyze the benefits and impacts of legalization and regulation of online sports wagering in the State.

Your Committee has amended this measure by:

- (1) Clarifying that the Sports Wagering Working Group is requested to submit a report on its analysis, including any findings, recommendations, and proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2026, rather than the Regular Session of 2025; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 70, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 70, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4; Ayes with Reservations (Kim, Fevella). Noes, none. Excused, 1 (DeCoite).

SCRep. 3913 Energy, Economic Development, and Tourism on H.C.R. No. 213

The purpose and intent of this measure is to request the Hawaii State Energy Office to convene a Renewable Liquid Fuels Working Group to study local production, development, and incentives for renewable liquid fuels.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Airlines Committee of Hawaii, Inc.; Neste; Pono Pacific Land Management, LLC; Hawaiian Airlines; Hawai'i Gas; Pacific Biodiesel Technologies, LLC; Par Hawaii; Airlines for America; Island Energy Services; and one individual.

Your Committee finds that the transportation sector significantly contributes to greenhouse gas emissions, and renewable liquid fuels offer a viable solution to mitigate greenhouse gas emissions across various modes of transportation, including aviation. Your Committee further finds that the State is heavily dependent on various modes of transportation for tourism, commerce, and inter-island travel; is particularly susceptible to the impacts of climate change; and has a vested interest in fostering a comprehensive, diverse portfolio of renewable liquid fuels. This measure establishes a Renewable Liquid Fuels Working Group to explore how to best facilitate and incentivize the production of a range of renewable liquid fuels in the State and to provide valuable insights and recommendations for promoting the adoption and development of this critical sector.

Your Committee has amended this measure by:

- (1) Inserting language requesting that a representative of the Airlines Committee of Hawaii be invited to participate in the Renewable Liquid Fuels 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 Energy, Economic Development, and Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 213, H.D. 2, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 213, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Kim, Fevella). Noes, none. Excused, 1 (DeCoite).

SCRep. 3914 Health and Human Services on H.C.R. No. 91

The purpose and intent of this measure is to request the Department of Human Services to establish a working group to address issues relating to reimbursements and payments to home- and community-based services providers.

Your Committee received testimony in support of this measure from the Big Island Adult Foster Home Operators, International Longshore & Warehouse Union International, International Longshore & Warehouse Union Local 1000, and six individuals.

Your Committee received comments on this measure from the Department of Human Services and Healthcare Association of Hawaii.

Your Committee finds that home- and community-based services providers provide essential and necessary services to the State's elderly and vulnerable populations. Your Committee further finds that adequate reimbursements and payments are crucial to sustain and improve the quality of care provided by home- and community-based residential care home facilities, and that there is a pressing need to identify and implement measures to enhance reimbursement rates for all home- and community-based services providers. This measure requests the establishment of a working group to address issues relating to reimbursements and payments to home- and community-based services providers by conducting an analysis of the current reimbursement and payment system, identifying areas where improvements can be made, exploring strategies, and engaging with stakeholders to gather input and feedback.

Your Committee notes the Department of Human Services' testimony that the comprehensive analyses and report requested in this measure are similar to the rate studies contracted by its Med-QUEST Division's that cost an average of \$450,000, and that an additional \$350,000 may be needed since home- and community-based services are funded through various non-Medicaid sources, and therefore, federal Medicaid match would be unavailable.

Your Committee has amended this measure by:

- (1) Removing language that would have requested the Director of Health to be a member of the working group;
- (2) Inserting language to request the working group to request funding of \$350,000 to conduct the comprehensive analysis of the current reimbursement and payment system for home- and community-based services providers; 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 H.C.R. No. 91, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 91, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3915 Health and Human Services on H.C.R. No. 94

The purpose and intent of this measure is to request the Department of Human Services to conduct a study on the feasibility of increasing the Medicaid reimbursement payment rate for Hawaii's community care foster family homes and expanded adult residential care homes for Medicaid clients in 2032 and every ten years thereafter.

Your Committee received testimony in support of this measure from International Longshore & Warehouse Union Local 1000 and one individual.

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

Your Committee finds that the State has a limited number of beds in nursing homes for patients requiring a nursing home level of care, and that community care foster family homes (CCFFHs) and expanded adult residential care homes (E-ARCHs) provide additional options for a nursing home level of care throughout the State. Your Committee further finds that Senate Resolution No. 4, S.D. 1, adopted during the Regular Session of 2022, requested the Department of Human Services to study the feasibility of increasing the Medicaid reimbursement rates for CCFFHs, E-ARCHs, and other types of home- and community-based services care providers and services, and in response, the Department submitted a report of its findings and recommendations to the Legislature in December 2022.

This measure requests the Department to conduct a similar study in 2032 and every ten years thereafter to continually monitor the issues relating to Medicaid reimbursement rates for CCFFHs and E-ARCHs.

Your Committee notes the Department of Human Services' testimony that the feasibility study requested in this measure for 2032 will require significant resources and funding and that the Department will need additional general fund appropriations a year in advance, with the first appropriation in the biennium budget of 2031. Your Committee further notes the Department of Human Services' testimony that Medicaid reimbursement rates for CCFFHs and E-ARCHs have been increased in the last eight years, including a five percent increase in 2022, and therefore, language in this measure's legislative findings regarding the lack of rate increases is inaccurate.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language in its legislative findings stating that the Medicaid rate for CCFFH reimbursement has not been increased in the last eight years;
- (2) Inserting language to request the Department of Human Services to request funding by 2031 to conduct the feasibility study in 2032; 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 H.C.R. No. 94, H.D. 2, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 94, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3916 (Joint) Transportation and Culture and the Arts and Government Operations on H.C.R. No. 62

The purpose and intent of this measure is to urge the Department of Transportation and City and County of Honolulu to install speed bumps and speed limit signage along the portion of Kapolei Parkway between Kapolei High School and Kapolei Middle School.

Your Committees received no testimony for this measure.

Your Committees find that in Kapolei, speeding is a constant contributing factor in motor vehicle accidents and traffic fatalities. Your Committees further find that speed bumps and speed limit signage can be effective tools to slow down motor vehicle traffic and prevent collisions. Your Committees conclude that installing speed bumps and speed limit signage along Kapolei Parkway would help to reduce the number of speeding vehicles on the roadway and protect the residents of Kapolei. However, your Committees find that, in the aftermath of the August 2023 Maui wildfires, ensuring access to evacuation routes for residential areas is a more pressing concern.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and inserting the contents of S.C.R. No. 110, a measure that requests the City and County of Honolulu to transfer to the State the City and County of Honolulu's authority to construct a Makakilo Drive extension; and
- (2) Amending its title 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 Government Operations that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 62, H.D. 1, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 62, H.D. 1, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).
Government Operations: Ayes, 4; Ayes with Reservations (San Buenaventura). Noes, none. Excused, 1 (Awa).

SCRep. 3917 Water and Land on Gov. Msg. No. 728

Recommending that the Senate advise and consent to the nomination of the following:

MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY

G.M. No. 728 NEIL HANNAHS, for a term to expire 06-30-2028. (Term to expire amended to 06-30-2027 by GM756)

Your Committee reviewed the personal history, resume, and statement submitted by Neil Hannahs for service on the Mauna Kea Stewardship and Oversight Authority.

Your Committee received testimony in support of the nomination for the appointment of Neil Hannahs from three individuals.

Upon review of the testimony, your Committee finds that Mr. Hannahs' experience, background, and dedication to public service qualify him for appointment to the Mauna Kea Stewardship and Oversight Authority. Your Committee notes that Mr. Hannahs is the founder and present CEO of Ho'okele Strategies LLC, a consulting firm that fosters the emergence of high performance leadership and enterprises with indigenous values to catalyze abundance, health, sustainability, and social equity. Mr. Hannahs also possesses extensive experience in land resource management in Hawaii. From 2000 to 2015, Mr. Hannahs directed the Kamehameha Schools Land Assets Division. Your Committee also notes that Mr. Hannahs has served on numerous boards, commissions, and committees, including Awaialu, Hawai'i Commission on Water Resource Management, Hawaiian Land Trust, and the Polynesian Voyaging Society. Your Committee finds that Mr. Hannahs thoroughly understands the role and responsibilities of Authority members and his wealth of knowledge and experience will be assets to the Mauna Kea Oversight and Stewardship Authority as a member with land resource

management expertise. Your Committee therefore recommends that Neil Hannahs be appointed to the Mauna Kea Oversight and Stewardship 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 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, 3. Noes, none. Excused, 2 (Chang, Fevella).

SCRep. 3918 Water and Land on Gov. Msg. No. 647

Recommending that the Senate advise and consent to the nomination of the following:

GAME MANAGEMENT ADVISORY COMMISSION

G.M. No. 647 NICHOLAI BARCA, for a term to expire 06-30-2027. (Nominee's name amended to NICOLAI BARCA by GM689)

Your Committee reviewed the personal history, resume, and statement submitted by Nicolai Barca for service on the Game Management Advisory Commission.

Your Committee received testimony in support of the nomination for the appointment of Nicolai Barca from the Department of Land and Natural Resources and one individual.

Upon review of the testimony, your Committee finds that Mr. Barca's experience, background, and dedication to serving the public qualify him for appointment to the Game Management Advisory Commission. Your Committee notes that Mr. Barca previously served on the Game Management Advisory Commission as the Kauai representative from 2019 to 2023. As a commissioner, Mr. Barca has served as an intermediary for Kauai's hunting community and the State and state agencies, contributed his knowledge of Hawaiian ecology and game mammals to the Game Management Advisory Commission to inform its decisions, and wrote and updated the Kauai Hunter Director for Landowners to help connect landowners to hunters and trappers in their area for assistance with pig problems. In addition to the Game Management Advisory Commission, Mr. Barca is a field coordinator for The Nature Conservancy of Hawaii-Kauai Program and also serves on the Na Ala Hele Kauai Advisory Council, representing hunter, fisher, and conservation interests. Your Committee further finds that Mr. Barca thoroughly understands the role and responsibilities of commissioners and his extensive experience in conservation and hunting will be assets to the Game Management Advisory Commission. Your Committee therefore recommends that Nicolai Barca be appointed to the Game Management Advisory Commission based on his knowledge, background, and dedication to public service.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 3919 Water and Land on Gov. Msg. Nos. 641 and 679

Recommending that the Senate advise and consent to the nominations of the following:

LEGACY LAND CONSERVATION COMMISSION

G.M. No. 641 ELIZABETH ROBINSON, for a term to expire 06-30-2028; and

G.M. No. 679 JOHN SINTON, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by Elizabeth Robinson and John Sinton for service on the Legacy Land Conservation Commission.

ELIZABETH ROBINSON

Your Committee received testimony in support of the nomination for the appointment of Elizabeth Robinson from the Department of Land and Natural Resources, Hawai'i Land Trust, Ala Kahakai National Historic Trail, and three individuals.

Upon review of the testimony, your Committee finds that Ms. Robinson's experience, background, and commitment to public service qualify her for appointment 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. Your Committee notes that since 2018, Ms. Robinson has served as the Director of Hawaii Life Real Estate Services' Conservation and Legacy Lands Initiative, leading the firm's efforts as a resource for owners and sellers of legacy properties with conservation values and working with local communities and Hawaii non-profit organizations to identify conservation and legacy lands across Hawaii to develop strategies for their protection. Ms. Robinson also serves her community as secretary of the North Kohala Affordable Housing Group, secretary of the Kohala Community Plan, and as a member of the North Kohala Access Group. Ms. Robinson has a Ph.D. in Mineral Economics from the Colorado School of Mines. Your Committee finds that Ms. Robinson thoroughly understands the role and responsibilities of commissioners and her expertise and dedication will be assets to the Legacy Land Conservation Commission. Your Committee therefore recommends that Elizabeth Robinson be appointed to the Legacy Land Conservation Commission based on her experience, knowledge, and commitment to public service.

JOHN SINTON

Your Committee received testimony in support of the nomination for the appointment of John Sinton from the Department of Land and Natural Resources, Trust for Public Land, and five individuals.

Upon review of the testimony, your Committee finds that Mr. Sinton's experience, background, and commitment to public service qualify him for appointment to the Legacy Land Conservation Commission as a member possessing scientific qualifications as evidenced by an academic degree in wildfire or marine biology, botany, forestry, ecology, resource management, biogeography, zoology, or geology. Your Committee notes that Mr. Sinton is presently a professor emeritus of the Department of Earth Sciences at the University of Hawaii at Manoa. Mr. Sinton possesses extensive experience in geological field mapping in addition to his expertise of Hawaiian geology, igneous petrology, volcanology, and marine geology. Mr. Sinton has a Ph.D. in Geology from the University of Otago, Dunedin, New Zealand. Mr. Sinton has previously served as a Commissioner of the State's Legacy Land Conservation Program and has also served as Chair and as a Commissioner of the Hawaii Natural Area Reserves System Commission. Your Committee finds that Mr. Sinton thoroughly understands the role and responsibilities of commissioners and his background and knowledge will be assets to the Legacy Land Conservation Commission. Your Committee therefore recommends that John Sinton be appointed to the Legacy Land Conservation Commission based on his experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Water and Land that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (McKelvey).

SCRep. 3920 Water and Land on Gov. Msg. Nos. 729, 730, and 731

Recommending that the Senate advise and consent to the nominations of the following:

MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY

- G.M. No. 729 JOSHUA MANGAUIL, for a term to expire 06-30-2028. (Term to expire amended to 06-30-2027 by GM756);
- G.M. No. 730 GARY KRUG, JR., for a term to expire 06-30-2028. (Term to expire amended to 06-30-2027 by GM756); and
- G.M. No. 731 POMAICALANI BERTELMANN, for a term to expire 06-30-2028. (Term to expire amended to 06-30-2027 by GM756)

Your Committee reviewed the personal histories, resumes, and statements submitted by Joshua Mangauil; Gary Krug, Jr.; and Pomaikalani Bertelmann for service on the Mauna Kea Stewardship and Oversight Authority.

JOSHUA MANGAUIL

Your Committee received testimony in support of the nomination for the reappointment of Joshua Mangauil from two individuals.

Upon review of the testimony, your Committee finds that Mr. Mangauil's background and dedication to serving the public qualify him for reappointment to the Mauna Kea Stewardship and Oversight Authority as a member. Mr. Mangauil studied Hawaiian Lifestyles at Hawai'i Community College and graduated as a Kumu Hula in 2020 with Uniki rites. Your Committee notes that Mr. Mangauil has been serving on the Mauna Kea Stewardship and Oversight Authority since 2023 as a Hawaiian cultured practitioner representative board member. Mr. Mangauil is the present Executive Director and Head Instructor at HŌ'Ā Hawaii, an organization he founded in collaboration with other visionary community members eager to support Hawaiian cultural education by providing cultural learning opportunities for the community and visitors of all ages. Mr. Mangauil is also contracted by Kanu o ka 'Āina New Century Public Charter School. Before his work with HŌ'Ā, Mr. Mangauil worked for the Department of Education as a Kumu 'Ike, providing Hawaiian cultural- and place-based education to students at Honoka'a and Waiakea. Your Committee further finds that Mr. Mangauil thoroughly understands the role and responsibilities of board members and his knowledge, experience, and dedication to Native Hawaiian issues will continue to be assets to the Mauna Kea Oversight and Stewardship Authority. Your Committee therefore recommends that Joshua Mangauil be reappointed to the Mauna Kea Oversight and Stewardship Authority as a member who is a recognized practitioner of Native Hawaiian traditional and customary practices based on his experience, knowledge, and commitment to public service.

GARY KRUG, JR.

Your Committee received testimony in support of the nomination for the reappointment of Gary Krug, Jr. from two individuals.

Upon review of the testimony, your Committee finds that Mr. Krug, Jr.'s background and dedication to serving the public qualify him for reappointment to the Mauna Kea Stewardship and Oversight Authority as a member. Mr. Krug, Jr. holds a Doctor of Education in Curriculum and Instruction from the University of Hawaii'i at Mānoa and has held a Hawai'i State Teacher Certification and License since 2001. Your Committee notes that Mr. Krug, Jr. has served on the Mauna Kea Stewardship and Oversight Authority since 2023. Mr. Krug, Jr. is currently the principal of Ka Waihona o ka Na'auao Public Charter School. Before working at Ka Waihona o ka Na'auao, Mr. Krug, Jr. was employed by the Office of Hawaiian Education of the Department of Education as a Kaiapuni Section Educational Specialist II from 2015 to 2019. Mr. Krug, Jr. has also taught at the university level and has published scholarly monographs and given numerous scholarly presentations on Native Hawaiian culture and perspectives in education. Your Committee further finds that Mr. Krug, Jr. thoroughly understands the role and responsibilities of board members and his knowledge and experience will continue to be assets to the Mauna Kea Stewardship and Oversight Authority. Your Committee therefore recommends that Gary Krug, Jr. be reappointed to the Mauna Kea Stewardship and Oversight Authority as a member who is recognized as possessing expertise in the fields of preschool through 12th-grade public education or post-secondary education based on his knowledge, experience, and commitment to public service.

POMAIKALANI BERTELMANN

Your Committee received testimony in support of the nomination for the reappointment of Pomaikalani Bertelmann from twelve individuals.

Upon review of the testimony and the nominee's personal statement, your Committee finds that Ms. Bertelmann's background and dedication to serving the public qualify her for reappointment to the Mauna Kea Stewardship and Oversight Authority as a member. Ms. Bertelmann holds a Lifestyles Certificate in Hawaiian Lifestyles from Hawai'i Community College and is in the process of completing her Bachelor of Arts at BYU Idaho with focuses on family and human services and genealogical research and family history. Your Committee notes that Ms. Bertelmann has served on the Mauna Kea Stewardship and Oversight Authority since 2023. She is currently employed by Kanu o Ka 'Āina New Century Public Charter School as Kumu Alaka'i and as Ho'okele Haumāna and 'Ae Like Coordinator. In these roles, her responsibilities include the instruction of students in 'āina-based education to create opportunities for students to engage with practitioners of place and understand their ways of knowing. Your Committee also notes that Ms. Bertelmann has received extensive training in Native Hawaiian practices and holds several certificates from various organizations that emphasize indigenous knowledge and place-based education. Your Committee further finds that Ms. Bertelmann thoroughly understands the role and responsibilities of board members and her knowledge of Hawaiian tradition and customs and experience will continue to be assets to the Mauna Kea Oversight and Stewardship Authority. Your Committee therefore recommends that Pomaikalani Bertelmann be reappointed to the Mauna Kea Stewardship and Oversight Authority as a member who is a lineal descendent of a practitioner of Native Hawaiian traditional and customary practices associated with Mauna Kea 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, 3. Noes, none. Excused, 2 (Chang, Fevella).

SCRep. 3921 Energy, Economic Development, and Tourism on Gov. Msg. Nos. 702 and 703

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF DIRECTORS OF THE HAWAI'I TOURISM AUTHORITY

G.M. No. 702 MUFU HANNEMANN, for a term to expire 06-30-2027. (Chairperson designation removed by GM755); and

G.M. No. 703 BLAINE MIYASATO, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Mufu Hannemann and Blaine Miyasato for service on the Board of Directors of the Hawai'i Tourism Authority.

MUFU HANNEMANN

Your Committee received testimony in support of the nomination for the appointment of Mufu Hannemann from the Hawai'i Tourism Authority; Department of Education; Department of Labor and Industrial Relations; Department of Business, Economic Development, and Tourism; Mayor of the County of Hawai'i; Mayor of the County of Kaua'i; Mayor of the City and County of Honolulu; three members of the Honolulu City and Council; two members of the Hawai'i County Council; four members of the Kaua'i County Council; one member of the Maui County Council; Honolulu Emergency Services Department; Waikiki Improvement Association; Hawai'i Farm Bureau; Visitor Aloha Society of Hawaii; Kālaïmoku Group Inc.; University Health Alliance; Imanaka Asato; Blue Hawaiian Helicopters; Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO; T S Restaurants Management, Inc.; Ka La'i Waikiki Beach; Hawaii Fire Fighters Association; International Association of Fire Fighters, Local 1463 AFL-CIO; Kekaha Agriculture Association; Robert's Hawaii Inc.; Westin Maui Resort & Spa; International Brotherhood of Electrical Workers, Local Union 1186; Hawai'i Visitors & Convention Bureau; Farrington High School; Surfjack Hotel & Swim Club; Sheet Metal Workers Local Union 293 Hawaii; Hawai'i Gas; Albert C. Kobayashi, Inc.; Hawaii Ironworkers Stabilization Fund; Council for Native Hawaiian Advancement; Ironworkers Local 625; Outrigger Hospitality Group; Hawai'i Lodging & Tourism Association; Hawai'i Ag & Culinary Alliance; Mauna Lani, Auberge Resorts Collection; Kyo-ya Management Company, Ltd.; Bank of Hawaii; Hawtree International Inc.; Halekulani Corporation; Tihati Productions, Ltd.; Honolulu Marathon; and fifty-five individuals.

Upon review of the testimony, your Committee finds that Mr. Hannemann's experience, background, and commitment to public service qualify him for appointment to the Board of Directors of the Hawai'i Tourism Authority as an at-large member. During the course of Mr. Hannemann's career, he has gained broad experience and knowledge about the State's hospitality and tourism industry. Your Committee notes that Mr. Hannemann has been the President and Chief Executive Officer of the Hawai'i Lodging & Tourism Association since 2015 where he has advocated for the interests of the hospitality industry through government affairs, communication and outreach, and philanthropy. Prior to that, Mr. Hannemann served the City and County of Honolulu for over ten years as a Councilmember and Mayor, demonstrating his ability to coordinate with governmental agencies to bolster the State's tourism industry. Your Committee further notes that Mr. Hannemann has served as an interim member of the Board of Directors of the Hawai'i Tourism Authority since July 2023 and has a thorough understanding of the roles and responsibilities of its members. Your Committee therefore recommends that Mufu Hannemann be appointed to the Board of Directors of the Hawai'i Tourism Authority based on his knowledge, experience, and commitment to public service.

BLAINE MIYASATO

Your Committee received testimony in support of the nomination for the appointment of Blaine Miyasato from the Hawai'i Tourism Authority; Department of Business, Economic Development, and Tourism; Department of Transportation; Department of Transportation Airports Division; Imanaka Asato; Hawai'i Farm Bureau; Hawai'i Lodging & Tourism Association; Hawai'i Ag & Culinary Alliance; and eighteen individuals.

Upon review of the testimony, your Committee finds that Mr. Miyasato's background, experience, and dedication to public service qualify him for appointment to the Board of Directors of the Hawai'i Tourism Authority as an at-large member. Your Committee notes that Mr. Miyasato has been the Managing Director of State and Local Government Affairs, Corporate Communications for Hawaiian Airlines since 2018 where he represents the interests of Hawaiian Airlines in all matters involving state, local, and county government. Mr. Miyasato has served Hawaiian Airlines since 1985 and has held various roles that demonstrate his ability to implement innovative solutions in the State's airline industry and knowledge about the State's hospitality and tourism industry. Mr. Miyasato is also active in his community, serving as a member of the Hawaii Business Roundtable and Chamber of Commerce Hawaii. Your Committee further notes that Mr. Miyasato has served as an interim member of the Board of Directors of the Hawai'i Tourism Authority since July 2023 and has a thorough understanding of the roles and responsibilities of its members. Your Committee therefore recommends that Blaine Miyasato be appointed to the Board of Directors of the Hawai'i Tourism Authority based on his experience, background, 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, 5. Noes, none. Excused, none.

SCRep. 3922 Higher Education on Gov. Msg. No. 732

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII

G.M. No. 732 MICHAEL MIYAHIRA, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Michael Miyahira for service on the Board of Regents of the University of Hawaii.

Your Committee received testimony in support of the nomination for the appointment of Michael Miyahira from the Office of the Governor; one member of the Hawai'i County Council; Synergistic Hawai'i Agriculture Council; North Kohala Community Resource Center; Japanese Chamber of Commerce & Industry of Hawaii; Dodo Mortuary, Inc. & Crematory; Hawaii Floriculture and Nursery Association; Takamine Construction, Inc.; Torkildson Katz, a Law Corporation; Maui Varieties, Ltd.; and fourteen individuals.

Upon review of the testimony, your Committee finds that Mr. Miyahira's experience, knowledge, and desire to serve as a Regent for the Board of Regents of the University of Hawaii qualify him to be appointed as a Regent representing Hawaii County pursuant to section 26-11, Hawaii Revised Statutes. Mr. Miyahira is the owner of Business Strategies, a company that provides consulting services to small and family-owned businesses. Mr. Miyahira also spent over twenty years as a banker with one of Hawaii's largest commercial banks and assisted in creating the bank's Business Banking Division, serving as a Senior Landing Officer. Mr. Miyahira is also an experienced executive manager, serving as Chief Financial Officer in the real property development industry for fifteen years. Additionally, Mr. Miyahira previously served as an Adjunct Professor at the University of Hawaii at Hilo, College of Business and Economics. Mr. Miyahira is also an active member of his community, serving as a member of the University of Hawaii Shidler Family Business Center of Hawaii and the Center's Big Island Advisory Board; Hawaii Care Choices; Hawaii Island Corrections Advisory Council; and the University of Hawaii at Hilo, College of Business and Economics Advisory Council. Further, Mr. Miyahira also served as Trustee for the Lawyers' Fund for Client Protection of the Hawaii Supreme Court and Past President of the National Client Protection Organization, Hawaii Island Chamber of Commerce, and Japanese Chamber of Commerce.

According to Mr. Miyahira at the public hearing on his nomination, the Board of Regents should maximize the strengths of each University of Hawaii campus to ensure growth and development for the diversification of academic programs, increased enrollment, and achievement of student success. Mr. Miyahira cited the University of Hawaii at Hilo and West Oahu campuses as two potential sites that could be leveraged to serve community needs and student populations who live and work in the surrounding neighborhoods. Further, Mr. Miyahira is committed to addressing the issue of student housing at the University of Hawaii, citing the image and perception of student housing as a major deciding factor in a prospective student's decision to attend a University of Hawaii campus. Mr. Miyahira noted that student housing should be a safe, clean, secure, and comfortable environment for students to study, socialize, and develop during their college careers.

Additionally, as a financial industry professional, Mr. Miyahira supports focused budget formulation and review to ensure a thorough understanding of university operations and fiscal procedure. Your Committee notes that Mr. Miyahira affirmed that the Board of Regents should consider the various vacancies across the University of Hawaii System and how vacant positions impact campus resources, student support, and operational efficiency. Mr. Miyahira cited his extensive experience and knowledge in finance and private sector management, noting that a thorough understanding of operations is imperative to determining solutions, including fiscal priorities. To accomplish his goals as a Regent, Mr. Miyahira noted that he intends to seek information, ask questions, and find solutions to be a proactive member of the Board of Regents. Mr. Miyahira pledged to be a strong voice on the Board of Regents to ensure progress on pressing university issues. Your Committee notes that Mr. Miyahira emphasized that accountability is of paramount importance and should be utilized for both personal performance and in evaluations of university operations.

Your Committee further finds that Mr. Miyahira's fresh perspective and ideas to ensure effective university operations, board oversight, and fiscal responsibility demonstrates a commitment to prioritizing student health and safety, academic achievement, and diversity within the University of Hawaii System. Your Committee notes that Mr. Miyahira understands the roles and responsibilities of board members, and his extensive experience in banking and executive management will be assets to the Board of Regents of the University of Hawaii. Your Committee therefore recommends that Michael Miyahira be appointed to the Board of Regents of the University of Hawaii based on his experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3923 (Joint) Commerce and Consumer Protection and Health and Human Services on H.C.R. No. 53

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 biomarker testing.

Your Committees received testimony in support of this measure from the Disability and Communication Access Board, Epilepsy Foundation of Hawaii, American Lung Association Hawai'i, American Cancer Society Cancer Action Network, International Cancer Advocacy Network, Alzheimer's Association – Hawaii, and six individuals.

Your Committees find that biomarker testing, which is the analysis of a patient's tissue, blood, or other biospecimen for the presence of a gene, protein, or other substance that can provide information about a patient's disease or condition, allows for a more precise and personalized approach to medical care. As precision medicine becomes the standard of care in treatment for diseases like cancer, mental health, and autoimmune diseases, biomarker testing has risen in importance as the gateway to many of these therapies. However, your Committees find that despite the many benefits of biomarker testing, the lack of insurance coverage for comprehensive testing creates a financial obstacle for many patients who would otherwise benefit greatly from the testing.

Your Committees note that H.B. No. 2223, H.D. 1, Regular Session of 2024, proposes to require health insurers, mutual benefit societies, health maintenance organizations, and health plans under the State's Medicaid managed care program to provide coverage for biomarker testing, beginning on January 1, 2025. Section 23—51, Hawaii Revised Statutes, requires new measures mandating 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, to be referred, via concurrent resolution, to the Auditor for analysis. Section 23-52, Hawaii Revised Statutes, specifies the minimum information required for assessing the social and financial impact of the proposed health insurance coverage mandate in the Auditor's report. Accordingly, this measure requests the Auditor to analyze the proposed mandatory health insurance coverage for biomarker testing in accordance with sections 23—51 and 23-52, Hawaii Revised Statutes.

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 H.C.R. No. 53, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.
Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (Awa).
Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3924 (Joint) Commerce and Consumer Protection and Health and Human Services on H.C.R. No. 225

The purpose and intent of this measure is to request the Auditor to conduct a social and financial assessment of prohibiting step therapy requirements in health insurance policies, contracts, plans, or agreements that cover the treatment of stage two through stage five cancer.

Your Committees received testimony in support of this measure from the Disability and Communication Access Board and two individuals.

Your Committees received comments on this measure from the Office of the Auditor.

Your Committees find that step therapy is a type of cost-control program used by insurers that requires a patient to first try a generic or lower-cost prescription drug that treats a given condition before "stepping up" to a similar-acting, but more expensive drug prescribed by a clinician. While step therapy can, in many instances, save money for both the insurer and patient when the patient responds well to the less expensive drug, the slow and deliberate nature of step therapy may not be appropriate for patients diagnosed with stage two through stage five cancer. For many cancer patients, time is generally of the essence, as cancer that is effectively treated early is more likely to be treated successfully. Notwithstanding, a typical step therapy patient might be required to use the lower cost prescription drug for thirty days or longer before an exception can be requested from the insurer to cover the more expensive drug that was originally prescribed. Your Committees find that requiring cancer patients to wait weeks or months for a cheaper drug to fail can place these patients at risk of becoming sicker should their cancer further spread.

Your Committees note that S.B. No. 2316, Regular Session of 2024, proposes to prohibit a health insurer from requiring an insured diagnosed with stage two through stage five cancer to undergo step therapy before covering the insured for certain drugs prescribed by the insured's health care provider, under certain conditions. Your Committees further note that while requiring insurers to provide timely and quality health care to cancer patients by prohibiting step therapy requirements would not generally be considered a proposed form of mandated insurance coverage, insofar as S.B. No. 2316 (2024) requires that certain investigational new drugs be covered that may be an expansion of the current coverage for those diagnosed with stage two through stage five cancer, your Committees find that a social and financial assessment may be warranted pursuant to sections 23—51 and 23-52, Hawaii Revised Statutes. Accordingly, this measure requests the Auditor to analyze, as appropriate, the prohibition of step therapy requirements in health insurance policies, contracts, plans, or agreements that cover the treatment of stage two through stage five cancer.

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 H.C.R. No. 225, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4. Noes, none. Excused, 1 (Awa).

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3925 Public Safety and Intergovernmental and Military Affairs on H.C.R. No. 87

The purpose and intent of this measure is to request the Hawaii Emergency Management Agency to install a new emergency siren near the intersection of Aumakua Street and Auhuhu Street in upper Pacific Palisades.

Your Committee received testimony in support of this measure from the Pearl City Neighborhood Board No. 21 and one individual.

Your Committee finds that residents living in the Pacific Palisades area of Oahu assert that they are unable to hear the emergency siren located at Pearl City High School. Your Committee further finds that the alternate emergency siren at Palisades Elementary School has been inoperable for several years, creating a public safety concern in the event of a critical public emergency. Your Committee concludes that a new emergency siren is needed in the upper Pacific Palisades area to keep residents alerted to all civil defense emergencies in a timely manner to take any necessary safety measures.

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. 87, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3926 Public Safety and Intergovernmental and Military Affairs on H.C.R. No. 124

The purpose and intent of this measure is to request the Department of Law Enforcement to convene a Search and Rescue Working Group to develop and make recommendations to deter hikers from entering illegal hiking trails and to address rising search and rescue costs facing the State and counties due to increased illegal hiking traffic.

Your Committee received testimony in support of this measure from the Department of Law Enforcement and one individual.

Your Committee finds that despite warnings on certain dangerous trails throughout the State, some individuals and groups unlawfully enter trails that have been closed to the public due to safety concerns, ultimately putting themselves at risk of significant injury and risking damage to native habitats and other natural resources that may be in those closed areas for preservation purposes. Your Committee further finds that the State and counties incur significant costs associated with the rescue of hikers who choose to go on illegal hikes and often ignore signs prohibiting access. Your Committee concludes that it is critical to develop policies that encourage public safety and accountability because of the considerable costs associated with the search and rescue of individuals who willfully disregard the safety of themselves and others by ignoring warning signs.

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. 124, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3927 Commerce and Consumer Protection on Gov. Msg. No. 631

Recommending that the Senate advise and consent to the nomination of the following:

MOTOR VEHICLE REPAIR INDUSTRY BOARD

G.M. No. 631 DESTINY IRVINE-HALAMA, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Destiny Irvine-Halama for service on the Motor Vehicle Repair Industry Board.

Your Committee received testimony in support of the nomination for the appointment of Destiny Irvine-Halama from the Department of Commerce and Consumer Affairs.

Upon review of the testimony, your Committee finds that Ms. Irvine-Halama's background, experience, and dedication to community service qualify her to be appointed to the Motor Vehicle Repair Industry Board as a public member. Currently, Ms. Irvine-Halama is an Outreach Specialist for the Waianae branch of the Institute for Native Pacific Education and Culture (INPEACE), a nonprofit organization that seeks to improve the quality of life for Native Hawaiians through community partnerships that provide educational opportunities and promote self-sufficiency. In her current role, Ms. Irvine-Halama works directly with local community members of the Leeward Oahu area to identify their needs and develop and track wellness programs and initiatives accordingly. Previously, Ms. Irvine-Halama served as a Research Assistant at the community-focused Waianae Coast Comprehensive Health Center. Your Committee finds that Ms. Irvine-Halama has a thorough understanding of the role and responsibilities of Board members and her commitment to serving and improving the lives of the people in her community will enhance the effectiveness of the Motor Vehicle Repair Industry Board. Your Committee therefore recommends that Destiny Irvine-Halama be appointed to the Motor Vehicle Repair Industry Board 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, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3928 Commerce and Consumer Protection on Gov. Msg. No. 705

Recommending that the Senate advise and consent to the nomination of the following:

PUBLIC UTILITIES COMMISSION

G.M. No. 705 COLIN YOST, for a term to expire 06-30-2028. (Term to expire amended to 06-30-2030 by GM733)

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 Hawaii State Energy Office, Department of Commerce and Consumer Affairs, Hawaii Green Infrastructure Authority, Board of Water Supply of the City and County of Honolulu, Blue Planet Foundation, Ulupono Initiative, Hawaii Solar Energy Association, Sol-Ark, Photonworks Engineering LLP, Solar Help Hawaii, Malama Solar LLC, International Brotherhood of Electrical Workers Local Union 1260, Tesla, AES Hawai'i, Hawai'i Energy, ELCCO Inc., Sunrun Inc., and eighteen individuals.

Upon review of the testimony, your Committee finds that Mr. Yost's background, experience, and dedication to community service qualify him to be appointed to the Public Utilities Commission. Since November 2022, Mr. Yost has served as one of the three appointed full-time commissioners responsible for the administration of the Public Utilities Commission. During his tenure, Mr. Yost has quickly and adeptly gained an understanding of the Commission's mission and goals and has cultivated positive working relationships with staff, regulated entities, and community stakeholders statewide. Prior to his appointment, Mr. Yost was the Chief Operating Officer of RevoluSun, LLC, the largest solar and energy storage contractor in the State, where he led the company's general business operations and gained considerable executive-level experience in commercial solar project development, utility relations, legal and risk management matters, permitting and policy creation. Before his role as Chief Operating Officer, Mr. Yost served as the General Counsel for both RevoluSun, LLC, and RevoluSun Solar Corp., its franchisor affiliate, and personally led the development of over twenty-five megawatts of commercial solar projects, benefitting both the company and the State through increased renewable energy generation. Mr. Yost also acquired substantial working knowledge of and familiarity with the Public Utilities Commission through his representation of RevoluSun, LLC's interests in Commission dockets. Your Committee finds that Mr. Yost's fourteen years of experience in high level positions with RevoluSun, LLC showcase the quality of leadership and intellectual competence that he will contribute to the Public Utilities Commission through his continued service as a Commissioner.

Further, a lawyer by trade, Mr. Yost was the founding partner and trial lawyer for Cruise & Yost, LLLC, where he represented individual and organizational clients in civil litigation involving consumer protection, Native Hawaiian rights, environmental protection, land use, and other general business matters. He also acquired significant litigation experience in both federal and state courts as an associate trial attorney at Paul, Johnson, Park & Niles, Attorneys At Law, A Law Corporation, and as an Assistant Attorney General for the Oregon Department of Justice, where he was the principal attorney for Oregon in the multi-state prosecution of Enron Corporation and other energy companies for the fraudulent manipulation of energy markets. Mr. Yost also served as the co-chairperson of a national task force convened to draft enforcement guidelines relating to deceptive energy marketing.

Your Committee further finds that, before joining the Public Utilities Commission, Mr. Yost was actively involved in the community and served on numerous boards and committees, such as the Blue Planet Foundation, Hawaii Solar Energy Association, Sierra Club of Hawai'i, and Pacific Resilience Partnership, among others. Testifiers have highlighted and praised Mr. Yost's sound judgment, deep knowledge of the energy industry, and his keen legal acumen, all of which make him well-suited to serve as a Commissioner. Mr. Yost received his Juris Doctorate from the Lewis & Clark Northwestern School of Law and his Bachelor of English and Bachelor of Environmental Studies from the University of Pennsylvania.

Your Committee finds that, as evidenced by the record, Mr. Yost has devoted his career and education to renewable energy and environmental protection, and his accumulated knowledge, lifelong dedication, and passion for the environment will continue to guide his efforts in leading the State's transition to renewable energy from fossil fuels. Your Committee further finds that Mr. Yost, with his proven leadership, extensive renewable energy and environmental background, and desire to serve the public, will continue to provide a thoughtful and considerate perspective that will enhance the effectiveness of the Public Utilities Commission.

Lastly, your Committee notes that, despite being the newest Commissioner, Mr. Yost has displayed his mettle, courage, and willingness to lead through his involvement in the Public Utilities Commission's delicate, complex, and highly public response to the August 2023 Maui wildfires, including the deadliest fire in the United States in over one hundred years. Your Committee finds that while certain aspects of the Public Utilities Commission's response has drawn criticism, Mr. Yost has remained candid, open, and responsive to questions from legislators, both federal and state, and has actively participated in legislative discussions to ensure that, going forward, the Commission takes a more proactive approach in addressing the many future challenges of which the Public Utilities Commission is tasked, such as wildfire investigation, mitigation, and recovery; electrical grid resiliency and reliability; electricity wheeling; and the incorporation of firm renewables as part of the State's renewable energy portfolio. Accordingly, your Committee finds that Mr. Yost has a thorough understanding of the role and responsibilities of Commission members and therefore recommends that Colin Yost be appointed to the Public Utilities 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 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, none. Excused, 1 (Awa).

SCRep. 3929 Commerce and Consumer Protection on Gov. Msg. No. 707

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. 707 JANET PRIMIANO, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Janet Primiano for service on the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects.

Your Committee received testimony in support of the nomination for the appointment of Janet Primiano from the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects.

Upon review of the testimony, your Committee finds that Ms. Primiano's background, experience, and dedication to community service qualify her to be appointed to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects as a public member. Your Committee finds that Ms. Primiano has been a dental hygienist in Hawaii for forty-three years and has over thirty-five years of dental hygiene examination experience. Since 2019, Ms. Primiano has worked at Kahala Smile Professionals, LLC, a local dentistry practice located in Honolulu. She is also currently a dental hygienist examiner for CDCA-WREB-CITA, an independent testing agency that administers the ADEX dental and dental hygiene clinical licensure examinations nationwide. Further, Ms. Primiano has held numerous leadership and advocacy roles in the field of dental hygiene and has represented Hawaii on various industry matters, including the development of reliable, valid, and defensible examinations for initial licensure in dentistry and dental hygiene. Ms. Primiano also previously served as an industry member on the Board of Dentistry and has served a previous term as the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, including serving as Chairperson. Your Committee finds that Ms. Primiano has a thorough understanding of the role and responsibilities of Board members and therefore recommends that Janet Primiano be appointed to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects 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, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3930 Commerce and Consumer Protection on Gov. Msg. No. 739

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII MEDICAL BOARD

G.M. No. 739 DANNY TAKANISHI, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Danny Takanishi for service on the Hawaii Medical Board.

Your Committee received testimony in support of the nomination for the appointment of Danny Takanishi from the Hawaii Medical Board, Hawaii Medical Association, The Queen's Health System, John A. Burns School of Medicine of the University of Hawai'i (JABSOM), and two individuals.

Upon review of the testimony, your Committee finds that Dr. Takanishi's background, experience, and dedication to community service qualify him to be appointed to the Hawaii Medical Board as a physician member representing the City and County of Honolulu. Dr. Takanishi is a graduate of JABSOM and is a highly respected physician, educator, and leader with over thirty years of sustained and dedicated medical practice. Dr. Takanishi has worked as an attending surgeon at The Queen's Medical Center since 2002 and also serves as a tenured Professor of Surgery and the current Interim Associate Dean of Academic Affairs at JABSOM, having previously held a number of critical roles, including Program Director and Associate Chair of Surgery for Academic Affairs. Your Committee notes that Dr. Takanishi has previously served on the Hawaii Medical Board, including serving as its Chairperson. Dr. Takanishi is recognized by his peers as an eminently qualified medical professional with strong leadership skills and an ability to work well with others, and testifiers praised his commitment to protecting the health and well-being of the people of Hawaii. Your Committee finds that Dr. Takanishi's proven leadership on the Hawaii Medical Board and extensive background in medicine and surgery provides a thoughtful and considerate perspective that will continue to enhance the effectiveness of the Board. Your Committee therefore recommends that Danny Takanishi be appointed to the Hawaii Medical Board based on his experience, background, and dedication to his community.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3931 Commerce and Consumer Protection on Gov. Msg. No. 740

Recommending that the Senate advise and consent to the nomination of the following:

ELEVATOR MECHANICS LICENSING BOARD

G.M. No. 740 ROBERT GREIG, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Robert Greig for service on the Elevator Mechanics Licensing Board.

Your Committee received testimony in support of the nomination for the appointment of Robert Greig from the Elevator Mechanics Licensing Board and International Union of Elevator Constructors, Local 126.

Upon review of the testimony, your Committee finds that Mr. Greig's background, experience, and dedication to community service qualify him to be appointed to the Elevator Mechanics Licensing Board as a licensed elevator mechanic member. Mr. Greig has over a decade of experience in the elevator mechanic industry and since 2012, has worked for Kone Inc., a global leader in the elevator and escalator trade. Mr. Greig is also actively involved in his professional community, including serving previous terms on the Elevator Mechanics Licensing Board, including serving as its Chairperson; various roles with the International Union of Elevator Constructors, Local 126; Chairperson of the Local 126 Joint Apprenticeship Committee; and as an Instructor in the Apprenticeship Program, where he imparts his knowledge and experience to the next generation of elevator constructors. Your Committee finds that Mr. Greig's proven leadership, prior board experience, and extensive background in elevator service and repair will provide a thoughtful and considerate perspective that will enhance the effectiveness of the Elevator Mechanics Licensing Board. Your Committee therefore recommends that Robert Greig be appointed to the Elevator Mechanics Licensing Board based on his experience, background, and dedication to his community.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3932 Commerce and Consumer Protection on Gov. Msg. No. 741

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF PHARMACY

G.M. No. 741 SHERI TOKUMARU, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Sheri Tokumaru for service on the Board of Pharmacy.

Your Committee received testimony in support of the nomination for the reappointment of Sheri Tokumaru from the Board of Pharmacy, University of Hawai'i System, and four individuals.

Upon review of the testimony, your Committee finds that Dr. Tokumaru's background, experience, and dedication to community service qualify her to be reappointed to the Board of Pharmacy as a licensed pharmacist member. Dr. Tokumaru is a board-certified, critical care pharmacist with over twenty years of pharmacy experience. Currently, Dr. Tokumaru works as an Associate Professor and Clinical Pharmacist in the Neuroscience Intensive Care Unit at The Queen's Medical Center on Oahu. Dr. Tokumaru also serves as the Director of Interprofessional Education and Development for the Daniel K. Inouye College of Pharmacy at the University of Hawai'i at Hilo. Dr. Tokumaru is recognized by her peers as an expert in both pharmacy clinical practice and education, and testifiers commented on Dr. Tokumaru's professionalism and dedication to moving the practice of pharmacy forward through her teaching and community work. Your Committee notes that Dr. Tokumaru has served on the Board of Pharmacy since 2019 and her extensive professional expertise as a pharmacist and educator will provide a thoughtful and considerate perspective that will continue to enhance the effectiveness of the Board. Your Committee therefore recommends that Sheri Tokumaru be reappointed to the Board of Pharmacy 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, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3933 Commerce and Consumer Protection on Gov. Msg. No. 745

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF ACUPUNCTURE

G.M. No. 745 SHERRY MIZUMOTO, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Sherry Mizumoto for service on the Board of Acupuncture.

Your Committee received testimony in support of the nomination for the appointment of Sherry Mizumoto from the Department of Commerce and Consumer Affairs.

Upon review of the testimony, your Committee finds that Dr. Mizumoto's background, experience, and dedication to community service qualify her to be appointed to the Board of Acupuncture as a licensed acupuncturist member. Dr. Mizumoto earned a Doctor of Chinese Medicine from the University of California San Diego Center for Integrative Medicine and has over a decade of clinical acupuncture and herbal medicine experience. Dr. Mizumoto is the owner and operator of Dr. Sherry L. Mizumoto Acupuncture, which provides services such as acupuncture and acupressure sessions, aromatherapy, Chinese medicine, and cosmetic facial acupuncture in West Maui. Dr. Mizumoto is also a professor and faculty member at the Pacific College of Health and Science in San Diego, California, where she works daily with doctoral students and helps train future dedicated practitioners of holistic and integrative care. Your Committee finds that Dr. Mizumoto's extensive professional expertise in clinical acupuncture and her commitment to educating and mentoring future acupuncture professionals will provide a thoughtful and considerate perspective that will enhance the

effectiveness of the Board. Your Committee therefore recommends that Sherry Mizumoto be appointed to the Board of Acupuncture 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, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3934 Commerce and Consumer Protection on Gov. Msg. No. 709

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF PRIVATE DETECTIVES AND GUARDS

G.M. No. 709 EDWARD CHU, JR., for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Edward Chu, Jr., for service on the Board of Private Detectives and Guards.

Your Committee received testimony in support of the nomination for the reappointment of Edward Chu, Jr., from the Board of Private Detectives and Guards.

Upon review of the testimony, your Committee finds that Mr. Chu's background, experience, and dedication to community service qualify him to be reappointed to the Board of Private Detectives and Guards as a public member. Since 2009, Mr. Chu has worked as a licensed independent agent for ACW Group, LLC, selling commercial property and casualty insurance and personal lines insurance. Previously, Mr. Chu was an account executive at Matson Navigation Company, Inc., where he managed an account base of eighty-five customers, representing \$17,000,000 in annual revenues. Your Committee notes that Mr. Chu has served on the Board of Private Detectives and Guards since 2020 and currently serves as the Board's Vice Chairperson. Your Committee finds that Mr. Chu's prior Board experience and extensive background in risk management provides a thoughtful and considerate perspective that will continue to enhance the effectiveness of the Board of Private Detectives and Guards. Your Committee therefore recommends that Edward Chu, Jr., be reappointed to the Board of Private Detectives and Guards based on his experience, background, and dedication to his community.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3935 Commerce and Consumer Protection on Gov. Msg. Nos. 706 and 737

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF ELECTRICIANS AND PLUMBERS

G.M. No. 706 JAMES TAM, for a term to expire 06-30-2028; and

G.M. No. 737 MILES KAMIMURA, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by James Tam and Miles Kamimura for service on the Board of Electricians and Plumbers.

JAMES TAM

Your Committee received testimony in support of the nomination for the appointment of James Tam from the Department of Commerce and Consumer Affairs, Electrical Contractor's Association of Hawai'i, Hawaii Electricians Market Enhancement Program, International Brotherhood of Electrical Workers Local Union 1186, International Brotherhood of Electrical Workers Local Union 1260, and Plumbers and Fitters United Association Local 675.

Upon review of the testimony, your Committee finds that Mr. Tam's background, experience, and dedication to community service qualify him to be appointed to the Board of Electricians and Plumbers as a private citizen member not connected with the industry. Mr. Tam has over forty years of experience as a licensed attorney whose practice focused on helping employer associations and local unions strengthen their industries through the strategic use of their multi-employer Taft-Hartley and Employee Retirement Income Security Act (ERISA) regulated trust funds, and his clients included many electrician and plumber unions. Currently, Mr. Tam is a Senior Vice President at WhiteStar Advisors, LLC, an independent Securities Exchange Commission registered investment advisor and qualified professional asset manager under ERISA, where he similarly counsels employers and union trustees on how to best achieve consistent returns on trust funds. Your Committee finds that Mr. Tam's extensive professional legal expertise and relevant industry knowledge and background will be assets to the Board of Electricians and Plumbers. Your Committee therefore recommends that James Tam be appointed to the Board of Electricians and Plumbers based on his knowledge, experience, and commitment to public service.

MILES KAMIMURA

Your Committee received testimony in support of the nomination for the appointment of Miles Kamimura from the Department of Commerce and Consumer Affairs, International Brotherhood of Electrical Workers Local Union 1186, International Brotherhood of Electrical Workers Local Union 1260, Plumbers and Fitters United Association Local 675, and one individual.

Upon review of the testimony, your Committee finds that Mr. Kamimura's experience, background, and commitment to community service qualify him to be appointed to the Board of Electricians and Plumbers as a private citizen member not connected with the industry. Mr. Kamimura has over forty years of experience in the commercial real estate industry and is the President and founder of Pacific Property Group, Inc., a company that provides commercial property management services, in addition to leasing, sales, and consulting services for office, retail, and industrial properties. Previously, Mr. Kamimura was the President of the real estate firm, Colliers Monroe Friedlander Management, Inc., and worked as a commercial property manager for the real estate firm formerly known as Chaney Brooks and Company. As a longtime commercial real estate professional, Mr. Kamimura has been exposed to and understands the many challenges that are unique to the electrician and plumbing industries. Your Committee finds that Mr. Kamimura's leadership and extensive commercial real estate background will provide a thoughtful and considerate perspective that will enhance the effectiveness of the Board of Electricians and Plumbers. Your Committee further finds that Mr. Kamimura has a thorough understanding of the role and responsibilities of Board members and therefore recommends that Miles Kamimura be appointed to the Board of Electricians and Plumbers based on his 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, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3936 Commerce and Consumer Protection on Gov. Msg. Nos. 708, 742, 743, and 744

Recommending that the Senate advise and consent to the nominations of the following:

MOTOR VEHICLE INDUSTRY LICENSING BOARD

- G.M. No. 708 NICHOLAS CHING, for a term to expire 06-30-2028;
- G.M. No. 742 WAYNE DE LUZ, for a term to expire 06-30-2028;
- G.M. No. 743 KENNETH OBENSKI, for a term to expire 06-30-2028; and
- G.M. No. 744 CARLETON WILLIAMS, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by Nicholas Ching, Wayne De Luz, Kenneth Obenski, and Carleton Williams for service on the Motor Vehicle Industry Licensing Board.

NICHOLAS CHING

Your Committee received testimony in support of the nomination for the appointment of Nicholas Ching from the Department of Commerce and Consumer Affairs and one individual.

Upon review of the testimony, your Committee finds that Mr. Ching's background, experience, and dedication to community service qualify him to be appointed to the Motor Vehicle Industry Licensing Board as a public member. Mr. Ching is a licensed attorney with over a decade of litigation experience and currently works at Fukunaga Matayoshi Ching & Kon-Herrera LLP, where he practices in the area of civil litigation. Previously, Mr. Ching worked as an associate attorney at Bilecki & Tipon, LLLC, where he focused on criminal defense and family law, and served as an AmeriCorps member of Legal Aid Society of Hawaii, a public interest nonprofit law firm. In addition to his professional work, Mr. Ching has served as a volunteer on the board of directors for The Cove Waikiki Condominium Association for nine years. Your Committee finds that Mr. Ching's legal background, analytical skills, and desire to serve the public will provide a thoughtful and considerate perspective that will enhance the effectiveness of the Motor Vehicle Industry Licensing Board. Your Committee therefore recommends that Nicholas Ching be appointed to the Motor Vehicle Industry Licensing Board based on his knowledge, experience, and commitment to public service.

WAYNE DE LUZ

Your Committee received testimony in support of the nomination for the appointment of Wayne De Luz from the Motor Vehicle Industry Licensing Board, Bank of Hawaii, Hawai'i Automobile Dealers Association, and two individuals.

Upon review of the testimony, your Committee finds that Mr. De Luz's experience, background, and commitment to community service qualify him to be appointed to the Motor Vehicle Industry Licensing Board as an industry member. Mr. De Luz has over forty years of experience in the auto dealer industry and has held a number of key managerial roles at auto dealerships before establishing Big Island Motors, Inc. in 2005, a Mazda, Subaru, and Hyundai franchise auto dealership located in Hilo, Hawaii. Mr. De Luz is also actively involved in the professional auto dealer community, having served as a board member and President of the Hawai'i Automobile Dealers Association and two previous terms as a member of the Motor Vehicle Industry Licensing Board. Your Committee finds that Mr. De Luz, with his proven leadership, prior service on the Motor Vehicle Industry Licensing Board, and extensive auto industry expertise, will provide a thoughtful and considerate perspective that will enhance the work of the Board. Your Committee therefore recommends that Wayne De Luz be appointed to the Motor Vehicle Industry Licensing Board based on his background, knowledge, and desire to serve his community.

KENNETH OBENSKI

Your Committee received testimony in support of the nomination for the appointment of Kenneth Obenski from the Department of Commerce and Consumer Affairs and Office of the Mayor of the County of Hawai'i.

Upon review of the testimony, your Committee finds that Mr. Obenski's knowledge, experience, and dedication to community service qualify him to be appointed to the Motor Vehicle Industry Licensing Board as a public member. Mr. Obenski is a retired professional engineer who, with a career spanning four decades, has lectured, taught, and authored numerous articles and books on a wide range of subjects relating to his forensic engineering specialty, which includes accident reconstruction and failure analysis.

Mr. Obenski has been qualified to appear as an expert witness in nine state courts and is an inventor and manufacturer who holds two patents. In addition, Mr. Obenski is actively engaged in the community, sharing his wealth of professional experience relating to traffic safety and vehicle accidents through his service as Chairperson of the Kona Traffic Safety Committee and Hawaii Traffic Safety Council on Hawaii island and Commissioner of the Transportation Commission of the County of Hawai'i. Your Committee finds that Mr. Obenski's extensive professional engineering experience and thorough understanding of motor vehicle traffic safety and vehicle accidents will provide a thoughtful and considerate perspective that will enhance the effectiveness of the Motor Vehicle Industry Licensing Board. Your Committee therefore recommends that Kenneth Obenski be appointed to the Motor Vehicle Industry Licensing Board based on his knowledge, experience, and commitment to public service.

CARLETON WILLIAMS

Your Committee received testimony in support of the nomination for the appointment of Carleton Williams from the Department of Commerce and Consumer Affairs, Hawaii Society of Certified Public Accountants, and one individual.

Upon review of the testimony, your Committee finds that Mr. Williams' experience, knowledge, and dedication to community service qualify him to be appointed to the Motor Vehicle Industry Licensing Board as a public member. Mr. Williams is a graduate of the Shidler College of Business at the University of Hawai'i at Manoa and has over forty years of experience in accounting and finance. Mr. Williams is the founder of CW Associates, A Hawaii Certified Public Accounting Corporation (CW Associates, CPAs), which was ranked the fourth largest Certified Public Accountant firm in Hawaii, according to the 2022 Pacific Business News "Book of Lists". After retiring from CW Associates, CPAs, Mr. Williams' latest venture has been the founding of Manoa CPA LLC in 2023. In addition to his professional work, Mr. Williams serves on numerous boards and committees, such as the Advisory Board of The Salvation Army (Hawaii and Pacific Region) and DTRIC Insurance Company, Limited, among others. Mr. Williams also teaches finance courses as a graduate program instructor at Chaminade University and the University of Hawai'i. Previously, Mr. Williams served on the Board of Public Accountancy and has a thorough understanding of the roles and responsibilities of board members. Your Committee therefore recommends that Carleton Williams be appointed to the Motor Vehicle Industry Licensing Board based on his background, experience, 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, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3937 Health and Human Services on Gov. Msg. No. 547

Recommending that the Senate advise and consent to the nomination of the following:

EMERGENCY MEDICAL SERVICES ADVISORY COMMITTEE

G.M. No. 547 MICHAEL LAM, for a term to expire 06-30-2027. (Emergency Medical Services Advisory Board amended to the Emergency Medical Services Advisory Committee by GM 764)

Your Committee reviewed the personal history, resume, and statement submitted by Michael Lam for service on the Emergency Medical Services Advisory Committee.

Your Committee received testimony in support of the nomination for the appointment of Michael Lam from the Emergency Medical Services and Injury Prevention System Branch of the Department of Health and one individual.

Upon review of the testimony, your Committee finds that Mr. Lam's over twenty years of experience as a firefighter and paramedic and dedication to serving the public qualify him to be appointed to the Emergency Medical Services Advisory Committee as a member from the County of Hawaii who is a mobile intensive care technician or emergency medical technician engaged in the practice of prehospital emergency medical service. Your Committee notes that Mr. Lam has been serving as the Emergency Medical Services (EMS) Captain of the Hawaii Fire Department in Hilo since 2018, where he is responsible for providing support services for the fire-based EMS system and providing EMS education and training to Hawaii Fire Department personnel and community members. Prior to his current position, Mr. Lam was a practicing firefighter and paramedic for the Hawaii Fire Department for fifteen years. Your Committee also notes testimony attesting to Mr. Lam's strong advocacy for prehospital medical care and passion for training prehospital medical care personnel, as evidenced by his credentials as an American Heart Association CPR instructor, National Registry of Emergency Medical Technicians training officer, and Stop the Bleed instructor. Your Committee further notes that Mr. Lam has attended previous meetings held by the Emergency Medical Services Advisory Committee and understands the role and responsibilities of being a member. Your Committee finds that Mr. Lam's expertise and extensive experience as a frontline firefighter and paramedic will be invaluable to the Emergency Medical Services Advisory Committee. Your Committee therefore recommends that Michael Lam be appointed to the Emergency Medical Services Advisory Committee based on his knowledge, background, and dedication 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, 3. Noes, none. Excused, 2 (Keohokalole, Awa).

SCRep. 3938 Health and Human Services on Gov. Msg. No. 747

Recommending that the Senate advise and consent to the nomination of the following:

EMERGENCY MEDICAL SERVICES ADVISORY COMMITTEE

G.M. No. 747 MARILYN MATSUNAGA, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Marilyn Matsunaga for service on the Emergency Medical Services Advisory Committee.

Your Committee received testimony in support of the nomination for the appointment of Marilyn Matsunaga from the Department of Health, American Medical Response, and two individuals.

Upon review of the testimony, your Committee finds that Ms. Matsunaga's background, experience, and dedication to serving the public, specifically in the areas of health care and human services, qualify her to be appointed to the Emergency Medical Services Advisory Committee as a representative of the City and County of Honolulu who is a consumer of health care who has no connection with or relationship to the health care system of the State. Your Committee notes that Ms. Matsunaga has over twenty years of executive-level leadership experience in the State with over ten years of her leadership experience being in the health care industry. Your Committee further notes that Ms. Matsunaga has been serving as the Chief Executive Officer of Belief Consulting since 2003, and as the Owner of Pacific Clear Hawaii since 2020. Previously, Ms. Matsunaga was the Executive Director of the Oahu Workforce Development Board from 2008 to 2016, where she gained experience and knowledge of workforce development programs and initiatives. In addition, Ms. Matsunaga exemplifies her leadership experience in the health care field through her eight years serving as the Administrator of the State Health Planning and Development Agency and five years serving as the Special Assistant to the Deputy Director for Hospitals at the Department of Health. Your Committee finds that Ms. Matsunaga has a thorough understanding of the role and responsibilities of board members and her extensive experience in health care research and planning will enhance the effectiveness of the Emergency Medical Services Advisory Committee. Your Committee therefore recommends that Marilyn Matsunaga be appointed to the Emergency Medical Services Advisory Committee based on her knowledge, background, and dedication 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, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

SCRep. 3939 Housing on Gov. Msg. Nos. 722 and 723

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF DIRECTORS OF THE HAWAII PUBLIC HOUSING AUTHORITY

G.M. No. 722 GEORGE DEMELLO, for a term to expire 06-30-2028; and

G.M. No. 723 SUSAN KUNZ, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by George DeMello and Susan Kunz for service on the Board of Directors of the Hawai'i Public Housing Authority.

GEORGE DEMELLO

Your Committee received testimony in support of the nomination for the reappointment of George DeMello from the Hawaii Public Housing Authority and one individual.

Upon review of the testimony, your Committee finds that Mr. DeMello's experience, knowledge, and proven leadership on the Board of Directors of the Hawaii Public Housing Authority qualify him for reappointment to the Board as a public member from the County of Hawaii who is directly assisted by the Authority under Federal Low-Rent Public Housing or Federal Section 8 Tenant-Based Housing Assistance Payments Program. Mr. DeMello is the Owner and Creator/Designer for Hey George Sewing in Hilo, Hawaii, and is an active participant in his community, having served with the Merrie Monarch Festival, Boy Scouts of America, Lanakila Residents Association, and Waiakeawaena Elementary School PTA. Mr. DeMello has served as a member of the Hawaii Public Housing Authority Board of Directors since 2021 and provides leadership, support, dedication, and care as the Board's current Vice Chairperson. Mr. DeMello has also served on the Hawaii Public Housing Authority's Resident Advisory Board and Hilo Evictions Board, assisting the State in giving public housing tenants a voice on the Hawaii Public Housing Authority Board of Directors. Your Committee therefore recommends that George DeMello be reappointed to the Board of Directors of the Hawaii Public Housing Authority based on his experience, knowledge, and commitment to public service.

SUSAN KUNZ

Your Committee received testimony in support of the nomination for the appointment of Susan Kunz from the Statewide Office on Homelessness and Housing Solutions, Hawaii Public Housing Authority, Mayor of the County of Hawai'i, and one individual.

Upon review of the testimony, your Committee finds that Ms. Kunz's background, knowledge, and prior service on the Board of Directors of the Hawaii Public Housing Authority qualify her for appointment to the Board as a public member from the County of Hawaii. Ms. Kunz is currently the Executive Director of the Big Island Housing Foundation and oversees the management of six affordable multi-family and senior housing properties. Previously, Ms. Kunz served as the Housing Administrator for the County of Hawaii's Office of Housing and Community Development. Your Committee notes that Ms. Kunz has served previous terms on the Board of Directors for the Hawaii Public Housing Authority and her nearly twenty years of experience within the housing spectrum will continue to be a valuable asset to the Board. Your Committee therefore recommends that Susan Kunz be appointed to the Board of Directors of the Hawaii Public Housing Authority based upon her background, knowledge, and dedication to public service.

As affirmed by the records of votes of the members of your Committee on Housing that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 3940 Judiciary on Gov. Msg. Nos. 724 and 725

Recommending that the Senate advise and consent to the nominations of the following:

CIVIL RIGHTS COMMISSION

G.M. No. 724 JON MATSUOKA, for a term to expire 06-30-2027; and

G.M. No. 725 ARSIMA MULLER, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Jon Matsuoka and Arsima Muller for service on the Civil Rights Commission.

JON MATSUOKA

Your Committee received testimony in support of the nomination for the appointment of Jon Matsuoka from the Department of Labor and Industrial Relations and Hawai'i Civil Rights Commission.

Upon review of the testimony, your Committee finds that Dr. Matsuoka's background and knowledge qualify him for appointment to the Civil Rights Commission. Presently, Dr. Matsuoka serves as Executive Director of Honpa Hongwanji Hawaii Betsuin. Previously, Dr. Matsuoka served as Dean and Professor of the Myron B. Thompson School of Social Work at the University of Hawaii at Manoa and Vice Chancellor for Academic Affairs at Hawai'i Tokai International College. Dr. Matsuoka holds a Doctor of Philosophy in Social Work and Psychology degree from the University of Michigan. Your Committee notes that Dr. Matsuoka is an active member of his community, serving as Chairperson of Hawaii Living Treasures and the Global Commission on Social Work; Vice President of the Papakolea Community Development Corporation; and member of the Institute of Native Pacific Education and Culture Board of Directors, Native Hawaiian Legal Corporation Board of Directors, and Project Dana Advisory Board. Your Committee further finds that Dr. Matsuoka has been a member of the Civil Rights Commission since 2019, and his experience in higher education teaching and administration and social work will be assets to the Civil Rights Commission. Your Committee therefore recommends that Jon Matsuoka be appointed to the Civil Rights Commission based on his background, knowledge, and commitment to public service.

ARSIMA MULLER

Your Committee received testimony in support of the nomination for the appointment of Arsima Muller from the Department of Labor and Industrial Relations, Hawai'i Civil Rights Commission, and six individuals.

Upon review of the testimony, your Committee finds that Ms. Muller's background and knowledge qualify her for appointment to the Civil Rights Commission. Presently, Ms. Muller is a Partner at Carlsmith Ball LLLP, where she represents clients in corporate and regulatory matters and serves as Chairperson of the Transactional Practice Group. Previously, Ms. Muller served as Staff Attorney and Judicial Law Clerk for the Republic of the Marshall Islands High Court, Assistant Legal Adviser for the Republic of the Marshall Islands Embassy, and as an Attorney at Homer Law. Ms. Muller holds a Juris Doctorate from George Washington University Law School. Your Committee notes that Ms. Muller is an active member of her community, serving as Director of Micronesian Health Advisory Council, Ho'omaka Hou Learning Center, Legal Aid Society of Hawaii, and We Are Oceania; and as a volunteer for the Access to Justice Room. Your Committee further finds that Ms. Muller has been a member of the Civil Rights Commission since 2022, and her background as a practicing attorney and commitment to Pacific Islander populations will be assets to the Civil Rights Commission. Your Committee therefore recommends that Arsima Muller be appointed to the Civil Rights Commission based on her background, knowledge, 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.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3941 Housing on Gov. Msg. Nos. 700 and 701

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF DIRECTORS OF THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION

G.M. No. 700 CAROL REIMANN, for a term to expire 06-30-2028; and

G.M. No. 701 SEAN SASAKI, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by Carol Reimann and Sean Sasaki for service on the Board of Directors of the Hawaii Housing Finance and Development Corporation.

CAROL REIMANN

Your Committee received testimony in support of the nomination for the reappointment of Carol Reimann from the Hawaii Housing Finance and Development Corporation; Department of Business, Economic Development, and Tourism; Pacific Resource Partnership; and Hale Mahaolu.

Upon review of the testimony, your Committee finds that Ms. Reimann's experience, knowledge, and prior service on the Board of Directors of the Hawaii Housing Finance and Development Corporation qualify her for reappointment as a public member from the County of Maui who has affordable housing knowledge and expertise. Your Committee notes that Ms. Reimann has been the Vice President of Alexander & Baldwin-Maui since 2018 and has ample experience in land development. Ms. Reimann previously served as the Director of Housing and Human Concerns for the County of Maui where she initiated programs to facilitate the development of affordable housing in conjunction with the Hawaii Housing Finance and Development Corporation. Ms. Reimann has served as a member of the Board of Directors of the Hawaii Housing Finance and Development Corporation since 2020 and currently serves as the Board's Vice Chair. Your Committee therefore recommends that Carol Reimann be reappointed to the Board of Directors of the Hawaii Housing Finance and Development Corporation based on her experience, knowledge, and commitment to public service.

SEAN SASAKI

Your Committee received testimony in support of the nomination for the reappointment of Sean Sasaki from the Hawaii Housing Finance and Development Corporation and Department of Business, Economic Development, and Tourism.

Upon review of the testimony, your Committee finds that Mr. Sasaki's experience, background, and prior service on the Board of Directors of the Hawaii Housing Finance and Development Corporation qualify him for reappointment as a public member from the City and County of Honolulu. Your Committee finds that Mr. Sasaki has over twenty-five years of construction management and project controls experience and has been involved at all levels of the project lifecycle from proposal to closeout. Mr. Sasaki further has an extensive background in civil engineering, cash-flow management and quality control, and project audits, performance analysis, and management reviews. Mr. Sasaki is currently the Project Manager of Financial Controls for Na Ali'i Consulting & Sales, LLC, an affiliate of the Nakupua Companies, a Native Hawaiian organization that specializes in management consulting, facilities support, and environmental services to federal and defense organizations. Your Committee notes that Mr. Sasaki has served as a member of the Hawaii Housing Finance and Development Corporation's Board of Directors since 2021 and currently serves as the Board's Secretary. Your Committee therefore recommends that Sean Sasaki be reappointed to the Board of Directors of the Hawaii Housing Finance and Development Corporation based on his experience, background, and dedication to public service.

Your Committee further notes the ongoing critical housing shortage that continues to be an urgent priority for the State and recognizes the need for tangible outcomes from the Hawaii Housing Finance and Development Corporation, more specifically a targeted vision from its Board of Directors, to successfully accomplish the provision of housing to meet the State's needs. Of concern to your Committee is the apparent lack of sufficient, qualified staffing within the Hawaii Housing Finance and Development Corporation in comparison to the extent of the projects needed to meet the State's housing demands. Your Committee notes that crafting unique policies and exploring all options available to the Hawaii Housing Finance and Development Corporation should be proactively pursued by its leadership, namely its Board of Directors. As Hawaii's primary housing development agency, the Hawaii Housing Finance and Development Corporation should be at the forefront of the State's efforts to develop additional housing. Your Committee has worked to address these issues for a number of years and remains of the opinion that the Hawaii Housing Finance and Development Corporation could move with much greater speed to address these concerns. As each year goes by, more local families are faced with having to leave the State due to a lack of affordable housing options. Accordingly, it is incumbent upon the Board of Directors of the Hawaii Housing Finance and Development Corporation to guide the direction of the Corporation to achieve its purpose in developing the housing urgently needed to prevent Hawaii families from leaving the State.

In recognition of these issues, at the public hearing to consider the reappointment of these nominees, your Committee asked the nominees whether they, as members of the Board of Directors of the Hawaii Housing Finance and Development Corporation, would commit to annually and publicly evaluating the performance of the Executive Director of the Corporation, being that it has been more than one year since the last evaluation. Your Committee notes that both nominees responded in the affirmative. Your Committee further questioned the nominees' commitment to the Corporation's formulation of a plan to develop one hundred thousand units, or however many units may be necessary to end the housing shortage in the State. Both nominees answered in the affirmative regarding their support for the formulation of such a plan. Your Committee additionally expressed its concerns with the terms of the loans made from the Rental Housing Revolving Fund and the Qualified Allocation Plan adopted by the Corporation with regard to the Low-Income Housing Tax Credit program. When the nominees were questioned as to whether they would vote to amend the Qualified Allocation Plan to prioritize projects that are state- or county-owned, or if privately owned, projects that are perpetually affordable, are required to use their profits to build more housing, or repay their loans early, both nominees answered in the affirmative.

As affirmed by the records of votes of the members of your Committee on Housing that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3942 Judiciary on Jud. Com. No. 26

Recommending that the Senate consent to the nomination of the following:

DISTRICT COURT OF THE FIRST CIRCUIT

J.C. No. 26 MICHELLE N. COMEAU, for a term to expire in 6 years

Your Committee reviewed the personal history, resume, and statement submitted by Michelle N. Comeau for service on the District Court of the First Circuit, State of Hawaii.

Your Committee received testimony in support of the appointment of Michelle N. Comeau from sixteen individuals.

Your Committee received comments on the appointment of Michelle N. Comeau from 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, and ability to fulfil 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 District Court Judge of the First Circuit.

Judge Comeau received her Bachelor of Arts degree in Economics from Dartmouth College, and her Juris Doctor degree from the University of California, Los Angeles School of Law, where she graduated magna cum laude. Judge Comeau has been licensed to practice law in the State of Hawaii since 2011.

Judge Comeau currently works as a Per Diem District Court Judge for the First Circuit, a position she has held since 2017. As a Per Diem Judge, Judge Comeau adjudicates misdemeanors, petty misdemeanors, criminal violations, restraining orders, summary possession, and limited jurisdiction civil claims. Judge Comeau also currently works as of counsel for Nakashima Ching LLC, where she advocates for organizations and individuals facing difficult legal disputes in federal and state courts in the State, with a focus on property law and other civil matters. Previously, Judge Comeau was an associate at Alston, Hunt, Floyd, and Ing and was a Law Clerk for the Honorable Susan Oki Mollway in the United States District Court for the District of Hawaii.

Your Committee notes that Judge Comeau is involved in the community. Judge Comeau presently serves on the Board of Directors for Residential Youth Services and Empowerment and is a Troop Leader for Girl Scouts of Hawaii Troop 861. Additionally, Judge Comeau serves on the Priest Search Committee for the Parish of St. Clements.

Testimony submitted in support of Judge Comeau’s appointment commended her competence, compassion, courage, decisiveness, and ability to work well with others. Testimony submitted in support of Judge Comeau’s appointment also noted that, through her years of experience as a Per Diem Judge, she has proven her abilities to perform at the highest level and will be able to immediately contribute to the efficiency and daily workings of the District Court.

Your Committee finds that, based on the testimony submitted on her behalf, Michelle N. Comeau has the experience, temperament, judiciousness, and other competencies required to be a District Court Judge, and has a good sense of where the equities, rights, and responsibilities lie in a case, which is essential for a District Court Judge.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (San Buenaventura). Noes, none. Excused, none.

SCRep. 3943 Labor and Technology on Gov. Msg. No. 704

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF TRUSTEES OF THE EMPLOYEES’ RETIREMENT SYSTEM

G.M. No. 704 VINCENT BARFIELD, for a term to expire 06-30-2030

Your Committee reviewed the personal history, resume, and statement submitted by Vincent Barfield for service on the Board of Trustees of the Employees’ Retirement System.

Your Committee received testimony in support of the nomination for the appointment of Vincent Barfield from the State of Hawaii Employees’ Retirement System, Department of Budget and Finance, Association of Military Banks of America, and one individual.

Upon review of the testimony, your Committee finds that Mr. Barfield’s professional experience and background in banking, investment services, and retirement plans qualify him to be nominated for appointment to the Board of Trustees of the Employers’ Retirement System as a member who is a citizen of the State who is not a public employee, with at least three years of experience providing financial services, including investments, to public, corporate, or private institutional clients. Mr. Barfield has over thirty years of experience working in the State’s financial sector. He served in various positions at the Bank of Hawaii from 1992 until his retirement in 2019, including serving as a Managing Executive overseeing all wealth management businesses, including private banking, brokerage, international client banking, personal trust administration, institutional services, investment management, foundation administration, trust tax, trust real estate, operations, and compliance. Previously, Mr. Barfield served as the Pacific Area Credit Manager for Motorola Communications and held several management and lending positions at First Hawaiian Bank. Your Committee notes that Mr. Barfield has served on numerous boards in the past, including the Association of Military Banks of America, USS Missouri Memorial Association, East West Center Foundation, and Prevent Child Abuse Hawaii, and therefore, has a thorough understanding of the role and responsibilities of board members. Your Committee also notes that Mr. Barfield has been serving on the Board of Trustees of the Employees’ Retirement System since 2012 in various roles, including chair and vice-chair, and currently services as the Chair of the Human Resources Committee, Vice Chair of the Administrative & Audit Committee, and member of the Investment and Governance Policy Committees. Your Committee further notes the testimony of the Employees’ Retirement System attesting to Mr. Barfield’s provision of invaluable insight and professional knowledge during Board discussions and decisions. Your Committee finds that Mr. Barfield’s extensive experience in the financial sector and proven leadership will continue to contribute greatly to the Board of Trustees of the Employers’ Retirement System. Your Committee therefore recommends that Vincent Barfield be appointed to the Board of Trustees of the Employers’ Retirement System 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 (Ihara, Fevella).

SCRep. 3944 Labor and Technology on Gov. Msg. No. 727

Recommending that the Senate advise and consent to the nomination of the following:

LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD

G.M. No. 727 HARRY YEE, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Harry Yee for service on the Labor and Industrial Relations Appeals Board.

Your Committee received testimony in support of the nomination for the appointment of Harry Yee from the Department of Labor and Industrial Relations; International Union of Elevator Constructors, Local 126; Leong, Kunihiko, Brooke & Kim, Attorneys at Law, A Law Corporation; United Public Workers, AFSCME Local 646, AFL-CIO; Weber, Van Dyke & Fujimoto, LLLP, A Limited Liability Law Limited Partnership; Hawaii Government Employee Association, AFSCME Local 152, AFL-CIO; Hawaii State AFL-CIO; Timothy P. McNulty, A Law Corporation; and nine individuals.

Upon review of the testimony, your Committee finds that Mr. Yee's experience, background, and commitment to public service qualify him for appointment to the Labor and Industrial Relations Appeals Board. Mr. Yee earned his Juris Doctor degree from the Suffolk University School of Law in 1981 and began his legal career in Boston Massachusetts, including serving as an Assistant Attorney General at the Civil Rights Division and Medicaid Fraud Control Unit of the Department of the Attorney General for the State of Massachusetts. He relocated to Hawaii in 1989 and founded his own law firm, where he regularly represented injured workers as a claimant's counsel before the Department of Labor and Industrial Relations Disability Compensation Division and the Labor and Industrial Relations Appeals Board for fourteen years. Thereafter, Mr. Yee became an Assistant United States Attorney at the United States Attorney's Office in the District of Hawaii, where he represented federal agencies and the United States Armed Forces in a wide variety of civil matters including medical malpractice, complex tort, environmental, tax, and immigration cases from 2003 to 2023. Your Committee acknowledges testimony attesting to Mr. Yee's ability to evaluate the multi-faceted legal issues presented by workers' compensation claims, thorough knowledge of relevant laws and rules pertaining to workers' compensation, as well as his intellect, experience, and temperament necessary to serve on the Labor and Industrial Relations Appeals Board. Your Committee finds that Mr. Yee's knowledge and extensive experience as a litigator and counsel representing clients in workers' compensation cases will enhance the effectiveness of the Labor and Industrial Relations Appeals Board. Your Committee further finds that Mr. Yee has shown himself to be an intelligent, proficient, and creative practitioner of Labor and Workers' Compensation Law and would be a valuable asset to the Board. Your Committee therefore recommends that Harry Yee be appointed to the Labor and Industrial Relations Appeals 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 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 (Ihara, Fevella).

SCRep. 3945 Labor and Technology on Gov. Msg. No. 726

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII LABOR RELATIONS BOARD

G.M. No. 726 CLARK HIROTA, for a term to expire 06-30-2030

Your Committee reviewed the personal history, resume, and statement submitted by Clark Hirota for service on the Hawaii Labor Relations Board.

Your Committee received testimony in support of the nomination for the appointment of Clark Hirota from the Department of Human Resources Development; Department of Labor and Industrial Relations; Department of the Attorney General; Mayor of the City and County of Honolulu; Honolulu Police Department; International Brotherhood of Electrical Workers Local 1260; State of Hawaii Organization of Police Officers; Hawaii Fire Fighters Association, Local 1463, IAFF, AFL-CIO; International Association of Heat and Frost Insulators & Allied Workers Local 132; and twenty-four individuals.

Upon review of the testimony, your Committee finds that Mr. Hirota's background, knowledge, and over twenty-five years of experience in the areas of labor and employment qualify him for appointment to the Hawaii Labor Relations Board as a representative of labor. Your Committee notes that Mr. Hirota has been serving as a Labor Specialist for the City and County of Honolulu Department of Human Resources since 2008, where he is responsible for advising, representing, and advocating for county departments on matters involving labor unions; conducting labor advocacy and collective bargaining; providing assistance in interest arbitrations with the State of Hawaii Organization of Police Officers; and serving as a hearing officer for the county departments' contested cases. Your Committee also notes that Mr. Hirota earned a Juris Doctorate degree from the Seattle University School of Law in 1996, and has focused his career in the areas of labor and employment. Before assuming his current position, Mr. Hirota served as Deputy Corporation Counsel at the City and County of Honolulu, representing and advocating for the county in administrative and labor arbitration hearings, interest arbitration regarding contract negotiations with the Hawaii Government Employees Association, and Hawaii Labor Relations Board proceedings. His previous positions also include serving as a Labor Counselor at the Office of the Staff

Judge Advocate, where he advised and advocated for the United States Army in various employment- and labor-related matters; and as an attorney in private practice, during which he represented and advocated for clients in various labor matters, including collective bargaining and administrative and labor arbitration hearings. Your Committee finds that Mr. Hirota's knowledge in labor and employment laws and experience in labor arbitrations and proceedings before the Hawaii Labor Relations Board will be invaluable assets for the Board. Your Committee therefore recommends that Clark Hirota be appointed to the Hawaii Labor Relations 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 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 (Ihara, Fevella).

SCRep. 3946 Energy, Economic Development, and Tourism on Gov. Msg. No. 605

Recommending that the Senate advise and consent to the nomination of the following:

STRATEGIC BROADBAND COORDINATOR, DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

G.M. No. 605 CHUNG CHANG, for a term to expire 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Chung Chang for service as the Strategic Broadband Coordinator within the Department of Business, Economic Development, and Tourism.

Your Committee received testimony in support of the nomination for the appointment of Chung Chang from the Department of Business, Economic Development, and Tourism; Hawaii State Energy Office; Hawaii Technology Development Corporation; Research and Economic Analysis Division of the Department of Business, Economic Development, and Tourism; Creative Industries Division of the Department of Business, Economic Development, and Tourism; Foreign-Trade Zone Division of the Department of Business, Economic Development, and Tourism; Hawaii Housing Finance and Development Corporation; Agribusiness Development Corporation; Natural Energy Laboratory of Hawaii Authority; Hawaii Green Infrastructure Authority; Broadband Hui; Hawai'i Farm Bureau; Hawaiian Telcom; and five individuals.

Upon review of the testimony, your Committee finds that Mr. Chang's experience, background, and commitment to public service qualify him for appointment to the position of Strategic Broadband Coordinator. Your Committee notes that Mr. Chang has a diverse background in providing strategic business leadership, demonstrated through his service in various roles in the private and public sectors. Mr. Chang has served the Hawaii State Senate Committee on Ways and Means as a Committee Clerk and Bills Researcher and also served the Department of Business, Economic Development, and Tourism as a Deputy Director and Aerospace Development Coordinator. During the course of Mr. Chang's career, he has gained broad experience and knowledge about the State's digital economy and how to ensure the equitable distribution of digital technologies to residents of the State. Your Committee further notes that Mr. Chang has served as the interim Strategic Broadband Coordinator since July 2023 and has a thorough understanding of the roles and responsibilities of the Strategic Broadband Coordinator. Your Committee therefore recommends that Chung Chang be appointed to the position of Strategic Broadband Coordinator based on his knowledge, experience, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3947 Energy, Economic Development, and Tourism on Gov. Msg. No. 671

Recommending that the Senate advise and consent to the nomination of the following:

COMMUNITY-BASED ECONOMIC DEVELOPMENT ADVISORY COUNCIL

G.M. No. 671 JENNIFER WILKINSON, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Jennifer Wilkinson for service on the Community-Based Economic Development Advisory Council.

Your Committee received testimony in support of the nomination for the appointment of Jennifer Wilkinson from the Department of Business, Economic Development, and Tourism; County of Hawai'i Department of Liquor Control; and fifteen individuals.

Upon review of the testimony, your Committee finds that Ms. Wilkinson's background and dedication to serving the public qualify her to be appointed to the Community-Based Economic Development Advisory Council as a member representing the financial community. Your Committee notes that Ms. Wilkinson has been a Financial Services Executive since 2009, leading innovation in products and people management, analyzing productivity and profitability models, and streamlining process improvements. Ms. Wilkinson is currently serving as a Commissioner for the County of Hawai'i Department of Liquor Control. Previously, Ms. Wilkinson was a Chief Lending Officer for San Mateo Credit Union in Redwood City, California, where she developed and implemented growth strategies for real estate, consumer, business, and participation loan activities. Your Committee finds that Ms. Wilkinson has a thorough understanding of the role and responsibilities of board members and her extensive experience in the finance industry will continue to enhance the effectiveness of the Community-Based Economic Development Advisory Council. Your Committee therefore recommends that Jennifer Wilkinson be appointed to the Community-Based Economic Development Advisory Council based on her knowledge, background, 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, 5. Noes, none. Excused, none.

SCRep. 3948 Energy, Economic Development, and Tourism on Gov. Msg. No. 736

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF DIRECTORS OF THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY

G.M. No. 736 DAVELYN KALIPI, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Davelyn Kalipi for service on the Board of Directors of the Natural Energy Laboratory of Hawaii Authority.

Your Committee received testimony in support of the nomination for the reappointment of Davelyn Kalipi from the Department of Business, Economic Development, and Tourism; W. M. Keck Observatory; and eleven individuals.

Upon review of the testimony, your Committee finds that Ms. Kalipi's experience, knowledge, and proven leadership on the Board of Directors of the Natural Energy Laboratory of Hawaii Authority qualify her for reappointment to the Board of Directors of the Natural Energy Laboratory of Hawaii Authority as a public member. Your Committee notes that Ms. Kalipi has over twenty-five years of executive experience and a thorough understanding of government, community relations, strategic planning, and economic development. Ms. Kalipi has worked for Progression Energy, LLC, as the Executive Vice President for Hawaii, the Pacific, and Asia for eight years, and also serves as President of Kalipi Enterprises, LLC, a company that provides consulting services for community-based economic development in the areas of food security, energy security, and community empowerment. Ms. Kalipi also previously served as an attorney with the United States Army, Judge Advocate Generals Corps. Your Committee notes that Ms. Kalipi is an active participant in her community and serves as a member of a number of boards, including the Mālama 'Aina Foundation, Blue Planet Foundation, and the Hawaii Leadership Forum of Fellows, among others. Your Committee further finds that Ms. Kalipi has served on the Board of Directors of the Natural Energy Laboratory of Hawaii Authority since 2022 and her experience and knowledge will continue to be assets to the Board. Your Committee therefore recommends that Davelyn Kalipi be reappointed to the Board of Directors of the Natural Energy Laboratory of Hawaii Authority based on her experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3949 Energy, Economic Development, and Tourism on Gov. Msg. Nos. 608 and 609

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF DIRECTORS OF THE AGRIBUSINESS DEVELOPMENT CORPORATION

G.M. No. 608 JESSE COOKE, for a term to expire 06-30-2024; and

G.M. No. 609 JESSE COOKE, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Jesse Cooke for service on the Board of Directors of the Agribusiness Development Corporation.

Your Committee received testimony in support of the nominations for the appointment and reappointment of Jesse Cooke from the Department of Agriculture; Agribusiness Development Corporation; County of Hawaii Department of Research and Development; Ulupono Initiative; Hawaii Farm Bureau; Hawaii Food Industry Association; Larry Jefts Farms, LLC; Hawaii Farmers Union United; HIplan; Aloha Harvest; Hawaii Investment Ready; Hawaii Land Trust; Polipoli Farms LLC; The Food Basket Inc.; Slow Money Hawaii; Feed the Hunger Fund; North Shore Economic Vitality Partnership; Hawaii Cattlemen's Council, Inc.; Commercial and Business Lending; Germinate by HIplan; Oahu Fresh; Hawaii Farming LLC; MetroGrow Hawaii LLC; Lanakila Pacific; Hawaiian Chip Company LLC; Pacific Gateway Center; Hawaii Food Hub Hui; Hartung Brothers, Inc.; and twelve individuals.

Upon review of the testimony, your Committee finds that Mr. Cooke's professional experience, background, and desire to serve his community qualify him for consideration for appointment and reappointment to the Board of Directors of the Agribusiness Development Corporation as a member representing the City and County of Honolulu. Your Committee notes that Mr. Cooke has been a financial analyst for over twenty years and has an extensive background in investments, financial modeling, business lending, fundraising, research, and project development. Mr. Cooke has been serving as Vice President of Investments & Analytics for Ulupono Initiative since 2014, where he develops strategic initiatives to support projects and organizations that work to increase local food production. Your Committee finds that Mr. Cooke's involvement in Hawaii's agricultural industry, experience in the local food sector, and knowledge of financial matters and grants will aid in the decision-making process for the Board of Directors of the Agribusiness Development Corporation. Your Committee further finds that Mr. Cooke has been serving as an interim member of the Board of Directors of the Agribusiness Development Corporation and his knowledge and finance experience will continue to enhance the effectiveness of the Board. Your Committee therefore recommends that Jesse Cooke be appointed and reappointed to the Board of

Directors of the Agribusiness Development Corporation based on his background, knowledge, and desire to contribute to the community.

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 nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3950 Hawaiian Affairs on Gov. Msg. No. 746

Recommending that the Senate advise and consent to the nomination of the following:

HAWAIIAN HOMES COMMISSION

G.M. No. 746 SANOE MARFIL, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Sanoë Marfil for service on the Hawaiian Homes Commission.

Your Committee received testimony in support of the nomination for the appointment of Sanoë Marfil from the Department of Hawaiian Home Lands; one member of the Kaua'i County Council; three Commissioners of the Hawaiian Homes Commission; Council for Native Hawaiian Advancement; Makaha Hawaiian Civic Club; Ahupua'a O Nānākuli Homestead; Wai'anae Valley Homestead Community Association; Keaukaha Pana'ewa Farmers Association; Nānākuli-Mā'ili Neighborhood Board No. 36; Nanakuli High and Intermediate School PTSA; Sovereign Council of Hawaiian Homestead Associations; Association of Hawaiians for Homestead Lands; Association of Hawaiian Civic Clubs; Matson Navigation Company, Inc.; Ho'omana Pono, LLC; VKN Services, Inc.; and thirty-six individuals.

Upon review of the testimony, your Committee finds that Ms. Marfil's experience, background, and commitment to public service qualify her for appointment to the Hawaiian Homes Commission. Your Committee notes that Ms. Marfil currently works as the Chief Program Officer at the Institute for Native Pacific Education and Culture where she has been employed since 2010. Her responsibilities encompass the strategic direction of all programming; development of strong relationships with foundations, businesses, and community leaders; and participation in development efforts through grant application and reporting. Ms. Marfil is also involved in her community, currently serving as the President of the Nanaikapono Hawaiian Civic Club and as a parent liaison for Ka Papahana 'o Mā'ilikūkahi. Ms. Marfil has nearly twenty years of experience as a nonprofit leader and is a Hawaiian educator with experience in Hawaiian culture and place-based pedagogy and curriculum. Your Committee finds that Ms. Marfil thoroughly understands the role and responsibilities of Commissioners and her experience, knowledge, and dedication to the advancement of Native Hawaiians will be assets to the Hawaiian Homes Commission. Your Committee therefore recommends that Sanoë Marfil be appointed to the Hawaiian Homes Commission based on her experience, knowledge, 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. Noes, none. Excused, 1 (Ihara).

SCRep. 3951 Judiciary on Gov. Msg. No. 665

Recommending that the Senate advise and consent to the nomination of the following:

HAWAI'I STATE LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER, PLUS COMMISSION

G.M. No. 665 JOSEPH VICK, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Joseph Vick for service on the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission.

Your Committee received no testimony on the nomination for the appointment of Joseph Vick.

Your Committee finds that Mr. Vick's background, experience, and dedication to the LGBTQ+ community qualify him to be appointed to the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission. Mr. Vick has owned My Bar Kona since November 1, 2013, and in his more than ten years of ownership he has grown the business into a central hub for the LGBTQ+ community on the island of Hawaii. Mr. Vick has transformed My Bar Kona into a neighborhood safe space and works to ensure that it remains a positive and safe environment for everyone in his community, but especially members of the LGBTQ+ community. In addition to his experience as a small business owner, Mr. Vick co-created Kona Pride with his husband, which is a nonprofit dedicated to hosting annual pride parties. Each year, Kona Pride executes three-day weekend events at numerous locations throughout Kailua-Kona, most recently having more than nine events at multiple locations. Your Committee believes that Joseph Vick will bring extensive leadership, experience, and a strong desire to serve his community to the Commission and therefore recommends that he be appointed to the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission.

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. 3952 Agriculture and Environment on Gov. Msg. No. 678

Recommending that the Senate advise and consent to the nomination of the following:

ENDANGERED SPECIES RECOVERY COMMITTEE

G.M. No. 678 LINDSAY YOUNG, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Lindsay Young for service on the Endangered Species Recovery Committee.

Your Committee received testimony in support of the nomination for the appointment of Lindsay Young from the Department of Land and Natural Resources and two individuals.

Upon review of the testimony, your Committee finds that Dr. Young's knowledge, experience, and desire to serve her community qualify her for appointment to the Endangered Species Recovery Committee as a field biologist member with expertise in conservation biology pursuant to section 195D-25, Hawaii Revised Statutes. Your Committee notes that Dr. Young earned a Ph.D. in Ecology, Evolution, and Conservation Biology from the University of Hawaii, a Master of Science in Zoology from the University of Hawaii, and a Bachelor of Science in Zoology from the University of British Columbia. Dr. Young is not only the owner and operator of Conservation Fencing LLC, a local manufacturing business that provides materials and predator exclusion fencing to federal and state agencies, but also works as the Executive Director and Senior Scientist at Pacific Rim Conservation since 2008 and an affiliate graduate faculty member of the University of Hawaii's Department of Natural Resources and Environmental Management since 2017. According to testimony received by your Committee, Dr. Young was recently selected by National Geographic to be the Vice President of Research for its Pristine Seas program. Your Committee further notes that Dr. Young has attended and presented at multiple meetings of the Endangered Species Recovery Committee over the last ten years and that her familiarity with the federal habitat conservation plan process and expertise on native seabirds will be an asset to the Endangered Species Recovery Committee. Your Committee therefore recommends that Lindsay Young be appointed to the Endangered Species Recovery Committee based on her knowledge, experience, and desire to serve the public.

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, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3953 Agriculture and Environment on Gov. Msg. No. 645

Recommending that the Senate advise and consent to the nomination of the following:

ADVISORY COMMITTEE ON PESTICIDES

G.M. No. 645 MELVIN TOKUDA, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Melvin Tokuda for service on the Advisory Committee on Pesticides.

Your Committee received testimony in support of the nomination for the appointment of Melvin Tokuda from the Department of Agriculture and Hawaii'i Farm Bureau.

Upon review of the testimony, your Committee finds that Mr. Tokuda's background, experience, and desire to serve his community qualify him for appointment to the Advisory Committee on Pesticides as a representative of the Department of Health pursuant to section 149A-51, Hawaii Revised Statutes. Your Committee notes that Mr. Tokuda earned a Bachelor of Science in Agriculture from the University of Hawaii at Manoa and has been on staff at the Department of Health as an Environmental Health Specialist in the Safe Drinking Water Branch since February 2008. Prior to that, he was a Pesticide Specialist at the Department of Agriculture for over sixteen years. Your Committee further notes that through these positions, Mr. Tokuda is well-versed in federal and state rules relating to the distribution of safe drinking water and the manufacturing, distribution, and use of pesticides, and that his expertise will help the Advisory Committee on Pesticides fulfill its duties to advise and assist the Department of Agriculture in pesticide problems and in developing and revising laws and rules to enforce Hawaii's Pesticides Law. Your Committee therefore recommends that Melvin Tokuda be appointed to the Advisory Committee on Pesticide based on his experience, knowledge, and desire to serve the public.

As affirmed by the record of votes of the members of your Committee on 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, 3. Noes, none. Excused, 2 (DeCoite, Awa).

SCRep. 3954 Agriculture and Environment on Gov. Msg. No. 694

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF AGRICULTURE

G.M. No. 694 NATHANIEL OSWALD, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Nathaniel Oswald for service on the Board of Agriculture.

Your Committee received testimony in support of the nomination for the appointment of Nathaniel Oswald from the Department of Agriculture; Hawai'i Farm Bureau; Hawai'i Farm Bureau Molokai Chapter; Hawaii Cattlemen's Council, Inc.; Molokai Chamber of Commerce; Larry Jeffs Farms, LLC; Hawaii Crop Improvement Association; and eight individuals.

Upon review of the testimony, your Committee finds that Mr. Oswald's knowledge, experience, and commitment to public service qualify him for appointment to the Board of Agriculture as a member at-large pursuant to chapter 26-16(a), Hawaii Revised Statutes. Your Committee notes that Mr. Oswald moved to Molokai over twenty-four years ago and has over thirty years of experience in agriculture, specializing in crop nursery management. He is the owner of Oswald Nursery Management LLC, a local business that provides consulting and management services to agriculture operations, since 2017. According to testimony received by your Committee, Mr. Oswald has been certified by the Department of Agriculture as a Pesticide Applicator for the past ten years. Your Committee further notes that Mr. Oswald is active in the community, including service as the President of the Hawaii Farm Bureau's Molokai Chapter for the last eight years, member of the Maui Economic Development Board, and member of the Steering Committee for the Maui County Department of Agriculture. Mr. Oswald has also been a member of the Molokai Irrigation System Water Users Advisory Board since his appointment in 2021. His knowledge and experience in various aspects of agriculture and agriculture support industries, along with his perspective as a farmer from a neighboring island, will be an asset to the Board. Your Committee therefore recommends that Nathaniel Oswald be appointed to the Board of Agriculture based on his knowledge, background, and desire to serve the public.

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, 3. Noes, none. Excused, 2 (DeCoite, Awa).

SCRep. 3955 Judiciary on Gov. Msg. No. 675

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF REGISTRATION OF THE ISLAND OF OAHU

G.M. No. 675 BARBARA MARUMOTO-COONS, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Barbara Marumoto-Coons for service on the Board of Registration of the Island of Oahu.

Your Committee received testimony in support of the nomination for the appointment of Barbara Marumoto-Coons from one individual.

Upon review of the testimony, your Committee finds that Ms. Marumoto-Coons' background and extensive experience in state and federal government qualify her to be nominated for appointment to the Board of Registration of the Island of Oahu. Ms. Marumoto-Coons holds a Bachelor of Arts degree in sociology from the University of Hawaii. Your Committee notes that Ms. Marumoto-Coons presently serves on the Department of Land and Natural Resources' Diamond Head Citizens Advisory Committee. Previously, Ms. Marumoto-Coons was a representative in the Hawaii State House of Representatives from 1978 to 2012, where she served as House Republican Leader from 1985 to 1986 and from 2001 to 2002. Ms. Marumoto-Coons has also served on numerous federal commissions, including the President's Commission on Asian Americans and Pacific Islanders, Defense Advisory Committee on Women in the Services, Advisory Committee on Equal Opportunity for the United States Department of Agriculture, and Intergovernmental Advisory Commission on Education. Your Committee further finds that Ms. Marumoto-Coons is presently a board member for several community organizations, including Help, Understanding, and Group Support; University of Hawaii Arts and Sciences Alumni Association; and National Japanese-American Historical Society. Your Committee finds that Barbara Marumoto-Coons brings a wealth of knowledge and experience in public service and therefore recommends that she be appointed to the Board of Registration of the Island of Oahu.

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. 3956 Agriculture and Environment on Gov. Msg. Nos. 588, 598, and 599

Recommending that the Senate advise and consent to the nominations of the following:

MOLOKA'I IRRIGATION SYSTEM WATER USERS ADVISORY BOARD

G.M. No. 588 JILL COOMBS, for a term to expire 06-30-2027;

G.M. No. 598 OSCAR IGNACIO, for a term to expire 06-30-2027; and

G.M. No. 599 JAMES BOSWELL, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Jill Coombs, Oscar Ignacio, and James Boswell for service on the Molokai Irrigation System Water Users Advisory Board.

JILL COOMBS

Your Committee received testimony in support of the nomination for the appointment of Jill Coombs from the Department of Agriculture, Hikiola Cooperative, Hawai'i Farm Bureau Molokai Chapter, and three individuals.

Upon review of the testimony, your Committee finds that Ms. Coombs' background, experience, and commitment to public service qualify her for appointment to the Molokai Irrigation System Water Users Advisory Board as a non-homestead farmer user on Molokai pursuant to section 167-23(a)(2), Hawaii Revised Statutes. Your Committee notes that Ms. Coombs has been involved in agriculture industry for over twenty years, thirteen of which have been on Molokai growing crops that are watered by the Moloka'i Irrigation System. She is currently employed as Production Lead for Bayer in Kaunakakai, Molokai, and has managed one of the largest farms on Molokai for the last six years. Your Committee further notes that Ms. Coombs has served on the Molokai Irrigation System Water Users Advisory Board since her appointment in 2019 and is currently the Chairperson of the Board. Her leadership and insight regarding the design, upkeep, capabilities, and limitations of the aging Molokai Irrigation System will continue to enhance the effectiveness of the Molokai Irrigation System Water Users Advisory Board. Your Committee therefore recommends that Jill Coombs be appointed to the Molokai Irrigation System Water Users Advisory Board based on her background, experience, and commitment to public service.

OSCAR IGNACIO

Your Committee received testimony in support of the nomination for the appointment of Oscar Ignacio from the Department of Agriculture and Department of Hawaiian Homelands.

Upon review of the testimony, your Committee finds that Mr. Ignacio's background, experience, and desire to serve his community qualify him for appointment to the Molokai Irrigation System Water Users Advisory Board as the designee (by name rather than office) of Hikiola Cooperative, Inc. pursuant to section 167-23(a)(4), Hawaii Revised Statutes. Prior to his current employment as a security guard for Bayer, Mr. Ignacio retired in 2018 with over thirty years of service at the Department of Agriculture. Your Committee notes that, over the course of his career with the Department, Mr. Ignacio was responsible for the operation and maintenance of the Molokai Irrigation System and the delivery of agricultural waters to farmers, with the last ten years of his service as the District Manager of the Molokai Irrigation System. Your Committee further notes that Mr. Ignacio has previously served as the Vice President on the Molokai Livestock Coop Board and has an understanding of the roles and responsibilities of board members. His institutional knowledge of and experience with the Molokai Irrigation System and its users will enhance the effectiveness of the Molokai Irrigation System Water Users Advisory Board. Your Committee therefore recommends that Oscar Ignacio be appointed to the Molokai Irrigation System Water Users Advisory Board based on his background, experience, and desire to serve his community.

JAMES BOSWELL

Your Committee received testimony in support of the nomination for the appointment of James Boswell from the Department of Agriculture and Department of Hawaiian Home Lands.

Upon review of the testimony, your Committee finds that Mr. Boswell's background, experience, and desire to serve his community qualify him for appointment to the Molokai Irrigation System Water Users Advisory Board as a homestead farmer user on Molokai pursuant to section 167-23(a)(1), Hawaii Revised Statutes. Your Committee notes that Mr. Boswell has been involved in the agriculture industry for over thirty-five years. Before his retirement in 2016, he was an instructor and farm manager at the University of Hawaii Maui College, for almost thirty years, where he taught courses in botany, biology, and agriculture and managed the College's twenty-eight-acre farm on Molokai. Your Committee further notes that Mr. Boswell previously served on the Molokai Irrigation System Water Users Advisory Board from 2008 to 2012 as a member, secretary, and chairperson and is a current member of the Molokai Land Soil Conservation Board. His knowledge of the needs of Molokai's diverse water users and passion for environmental stewardship will be an asset to the Molokai Irrigation System Water Users Advisory Board. Your Committee therefore recommends that James Boswell be appointed to the Molokai Irrigation System Water Users Advisory Board based on his background, experience, and desire to serve his community.

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. Nos. 588 and 599: Ayes, 4. Noes, none. Excused, 1 (Awa).

For Gov. Msg. No. 598: Ayes, 3. Noes, none. Excused, 2 (Rhoads, Awa).

SCRep. 3957 Agriculture and Environment on Gov. Msg. No. 646

Recommending that the Senate advise and consent to the nomination of the following:

ADVISORY COMMITTEE ON PESTICIDES

G.M. No. 646 QING LI, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Qing Li for service on the Advisory Committee on Pesticides.

Your Committee received testimony in support of the nomination for the appointment of Qing Li from the Department of Agriculture, Hawai'i Farm Bureau, and two individuals.

Upon review of the testimony, your Committee finds that Mr. Li's knowledge, experience, and desire to serve his community qualify him for appointment to the Advisory Committee on Pesticides as a representative of the University of Hawaii College of Tropical Agriculture and Human Resources pursuant to section 149A-51, Hawaii Revised Statutes. Your Committee notes that Mr. Li earned a Bachelor of Science in Agriculture from the Shangdong Agricultural University and a Doctorate in Agricultural and

Environmental Chemistry from the University of California-Davis. He has been a Professor at the University of Hawaii at Manoa's (UH-Manoa's) Department of Molecular Biosciences and Bioengineering since 2002, the Director of UH-Manoa's Proteomics Core Facility since 2011, and a research faculty member at the Hawaii Pacific Neuroscience Center since 2017. Your Committee further notes that Mr. Li previously served on the Advisory Committee on Pesticides from 2007 to 2015, and that his technical expertise in pesticide use, research and development, environmental issues, analysis, toxicology, disposal and remediation will enhance the effectiveness of the Advisory Committee on Pesticides. Your Committee therefore recommends that Qing Li be appointed to the Advisory Committee on Pesticide based on his knowledge, experience, and desire to serve the public.

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, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3958 Transportation and Culture and the Arts on Gov. Msg. Nos. 579, 580, 581, and 602

Recommending that the Senate advise and consent to the nominations of the following:

SAFE ROUTES TO SCHOOL ADVISORY COMMITTEE

- G.M. No. 579 THOMAS NOYES, for a term to expire 06-30-2026;
- G.M. No. 580 JAMES BURKE, for a term to expire 06-30-2026;
- G.M. No. 581 JESSICA THOMPSON, for a term to expire 06-30-2026; and
- G.M. No. 602 JEANNE TORRES, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Thomas Noyes, James Burke, Jessica Thompson, and Jeanne Torres for service on the State Routes to School Advisory Committee.

THOMAS NOYES

Your Committee received testimony in support of the nomination for the appointment of Thomas Noyes from the Ulupono Initiative and one individual.

Upon review of the testimony, your Committee finds that Mr. Noyes' background, experience, and dedication to the community qualify him for appointment to the Safe Routes to School Advisory Committee as a member representing an organization with a focus on bicycling. Your Committee notes that Mr. Noyes is currently the Executive Director for Kauai Path Inc., a nonprofit organization working to preserve, protect, and extend access through the design, implementation, and stewardship of non-motorized multi-use paths, where he leads fundraising, coordinating advocacy, managing volunteers, and implementing programs to further Kauai Path's strategic direction. Mr. Noyes has more than forty-two years of experience in non-profit, state, corporate, and community project management and communications. Prior to his current position, Mr. Noyes worked for the Department of Health; Kauai Planning and Action Alliance; Thomas Noyes Project Management Services; AT&T Wireless; Cingular Wireless, LLC; Ameritech Cellular Services, Inc.; and Griffin Noyes Associates. Your Committee further finds that Mr. Noyes is active in his community having served as chair of the Kauai Na Ala Hele Advisory Council and as a member of a variety of other committees and councils on Kauai. Additionally, Mr. Noyes' commitment to bicycling, including his instructor certification with the League of American Bicyclists, will be an asset to the Safe Routes to School Advisory Committee. Your Committee therefore recommends that Thomas Noyes be appointed to the Safe Routes to School Advisory Committee based on his experience, knowledge, and commitment to public service.

JAMES BURKE

Your Committee received testimony in support of the nomination for the appointment of James Burke from AARP Hawai'i, Hawai'i Family Caregiver Coalition, Ulupono Initiative, and one individual.

Upon review of the testimony, your Committee finds that Mr. Burke's background, experience, and knowledge qualify him for appointment to Safe Routes to School Advisory Committee as a member representing an organization with a focus on senior citizens and their families. Your Committee notes that Mr. Burke currently serves as a member of the Honolulu Rate Commission, a commission that reviews the fees, fares, rates, tolls, and other charges for the use of the municipal transportation system. Prior to that, Mr. Burke worked for the National Disaster Preparedness Training Center at the University of Hawaii, Department of Transportation Services for the City and County of Honolulu, Public Transit Division, Honolulu Public Transit Authority, and Department of Transportation. Your Committee further finds that Mr. Burke is also an active member in his community, serving on a variety of committees in the interests of seniors regarding transportation and disaster preparedness. Additionally, Mr. Burke's commitment to AARP as a volunteer and representative will be an asset to the Safe Routes to School Advisory Committee. Your Committee therefore recommends that James Burke be appointed to the Safe Routes to School Advisory Committee based on his experience, knowledge, and commitment to public service.

JESSICA THOMPSON

Your Committee received testimony in support of the nomination for the appointment of Jessica Thompson from the Ulupono Initiative.

Upon review of the testimony, your Committee finds that Ms. Thompson's background, experience, and knowledge qualify her for appointment to the Safe Routes to School Advisory Committee as a member representing an organization with a focus on public health and mobility. Your Committee notes that Ms. Thompson is the current Program Manager for the Safe, Accessible, and Inclusive Mobility Program at the Hawaii Public Health Institute where she works to build cross-sector, statewide coalitions to advance public health projects and programs. Ms. Thompson has over twenty years of experience in community development and managerial roles

including working with Hillsboro School District, Community Warehouse, Oregon Walks, and PATH: People for Active Transportation Hawaii. Your Committee further finds that Ms. Thompson's expertise in public health and community building will be an asset to the Safe Routes to School Advisory Committee. Your Committee therefore recommends that Jessica Thompson be appointed to the Safe Routes to School Advisory Committee based on her experience, knowledge, and desire to serve the community.

JEANNE TORRES

Your Committee received testimony in support of the nomination for the appointment of Jeanne Torres from Sensory Travel, LLC and fourteen individuals.

Upon review of the testimony, your Committee finds that Ms. Torres' experience, knowledge, and passion qualify her for appointment to the Safe Routes to School Advisory Committee as a member representing an organization with a focus on transportation equity and mobility. Your Committee notes that with over ten years of managerial experience, Ms. Torres is the current Executive Director of Guide Dogs of Hawaii. Prior to her current role, she served as General Manager and Service Programs Coordinator for Eye of the Pacific Guide Dogs and Mobility Services, Inc. and still serves on its Board of Directors. Your Committee further finds that Ms. Torres is active in her community and serves on the Hawaii Center for Independent Living Board of Directors, Committee for Accessible Transportation, Committee for the Protection of Service Animals, and National Federation of the Blind of Hawaii. Ms. Torres' commitment to equity, accessibility, mobility, and transportation will be an asset to the Safe Routes to School Advisory Committee. Your Committee therefore recommends that Jessica Torres be appointed to the Safe Routes to School Advisory Committee based on her 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, 3. Noes, none. Excused, 2 (Kanuha, Awa).

SCRep. 3959 Transportation and Culture and the Arts on Gov. Msg. Nos. 572, 573, 574, 575, 576, and 637

Recommending that the Senate advise and consent to the nominations of the following:

KING KAMEHAMEHA CELEBRATION COMMISSION

- G.M. No. 572 OLIVIA MANN, for a term to expire 06-30-2027;
- G.M. No. 573 JAMIE WHITTLE-WAGNER, for a term to expire 06-30-2027;
- G.M. No. 574 CECELIA HOFFMAN, for a term to expire 06-30-2027;
- G.M. No. 575 KU'ULEILANIMEKEALOHAMAU KUPAHU-MARINO AHOANO, for a term to expire 06-30-2027;
- G.M. No. 576 JERALD KEAULANA, for a term to expire 06-30-2027; and
- G.M. No. 637 JAME SCHAEDEL, for a term to expire 06-30-2028

Your Committee reviewed the personal histories, resumes, and statements submitted by Olivia Mann, Jamie Whittle-Wagner, Cecelia Hoffman, Ku'uleilanimekealohamau Kupahu-Marino Kahoano, Jerald Keaulana, and Jame Schaedel for service on the King Kamehameha Celebration Commission.

OLIVIA MANN

Your Committee received testimony in support of the nomination for the appointment of Olivia Mann from the Department of Business, Economic Development, and Tourism; King Kamehameha Celebration Commission; Daughters and Sons of the Hawaiian Warriors-Māmakakaua; and one individual.

Upon review of the testimony, your Committee finds that Ms. Mann's experience and knowledge qualify her for appointment to the King Kamehameha Celebration Commission as a member representing Daughters and Sons of Hawaiian Warriors-Māmakakaua. Your Committee notes that with over forty years of experience, Ms. Mann was a ukulele instructor at the Royal Hawaiian Center for thirty years, has taught hula at the Hālau Hula O Maiki, and is currently a Kumu Hula at the Royal Hawaiian Center. Ms. Mann is active in her community as the Director of 'Ahahui Ka'iulani, a member of the Daughters and Sons of the Hawaiian Warriors-Māmakakaua, and an active participant in numerous ceremonies and traditions including the commemorative ceremony at King Kamehameha 'Ekahi statue, annual commemorative ceremony and tribute for Princess Victoria Ka'iulani, and Kahikolu celebration. Your Committee further finds that Ms. Mann has a thorough understanding of the role and responsibilities of the King Kamehameha Celebration Commission. Your Committee therefore recommends that Olivia Mann be appointed to the King Kamehameha Celebration Commission based on her experience, knowledge, and commitment to public service.

JAMIE WHITTLE-WAGNER

Your Committee received testimony in support of the nomination for the reappointment of Jamie Whittle-Wagner from the Department of Business, Economic Development, and Tourism and King Kamehameha Celebration Commission.

Upon review of the testimony, your Committee finds that Ms. Whittle-Wagner's experience and knowledge qualify her for reappointment to the King Kamehameha Celebration Commission as a member representing the island of Maui. Your Committee notes that Ms. Whittle-Wagner is currently the Scholarship Associate and Community Outreach for Ka Hikina O Ka La where she works to provide scholarships to students residing in Maui Nui that are pursuing a degree in Hawaiian Studies or STEM. She is also a Cultural Assistant for the Maui Arts and Cultural Center where she assists the Cultural Director and coordinates the Ku Mai Ka Hula Competition. Prior to her current positions, Ms. Whittle-Wagner was the Registration Module Consultant and Conference Director for Ka 'Aha Hula 'O Halauaola; Rooms Director, Conventions Manager, and Director of Luau for the Royal Lahaina Resort; and

Administrative Assistant and Volunteer Coordinator for the Maui Historical Society, Bailey House Museum. Ms. Whittle-Wagner is an active member in her community on Maui and currently serves as the Maui Commissioner for the King Kamehameha Celebration Commission and is a teacher, leader, and dancer for Na Maile Ku Honua. Your Committee therefore recommends that Jamie Whittle-Wagner be reappointed to the King Kamehameha Celebration Commission based on her experience, knowledge, and commitment to public service.

CECELIA HOFFMAN

Your Committee received testimony in support of the nomination for the appointment of Cecelia Hoffman from the Department of Business, Economic Development, and Tourism and King Kamehameha Celebration Commission.

Upon review of the testimony, your Committee finds that Ms. Hoffman's experience and knowledge qualify her for appointment to the King Kamehameha Celebration Commission as a member representing the island of Kauai. Your Committee notes that Ms. Hoffman is the current Education Director for the Kaua'i Museum where she assists and coordinates with schools to help them obtain a better knowledge of Kauai leaders. In addition to her roles at the Kauai Museum, she is Kumu 'Ōlelo Hawai'i for the Kaua'i Adult Education. Prior to her current positions, Ms. Hoffman was the Hawaiian Culturalist for 'Aha Kūpuna/Kumu Kalāheo where she taught children Hawaiian cultural practices including mele, hula, arts, and crafts. Through her professional experience, Ms. Hoffman has demonstrated a commitment to educating both local residents and visitors about the history and culture of the State. Furthermore, Ms. Hoffman is proficient in the Hawaiian language and is dedicated to preserving the language for future generations. Your Committee therefore recommends that Cecelia Hoffman be appointed to the King Kamehameha Celebration Commission based on her experience, knowledge, and commitment to public service.

KU'ULEILANIMEKEALOHA MAU KUPAHU-MARINO KAHOANO

Your Committee received testimony in support of the nomination for the appointment of Ku'uleilanimekealohama Kupahu-Marino Kahoano from the Department of Business, Economic Development, and Tourism; King Kamehameha Celebration Commission; Marriott Resort Waikiki Beach; and two individuals.

Upon review of the testimony, your Committee finds that Ms. Kupahu-Marino Kahoano's experience and knowledge qualify her for appointment to the King Kamehameha Celebration Commission as a member representing the Waimanalo Hawaiian Homes Association. Your Committee notes that with over thirty years of clinical and community nursing, Ms. Kupahu-Marino Kahoano is currently a Cultural Programming and Lead Instructor at the Salvation Army Women's Way and a Pediatric Intermittent Nurse for Cradles and Crayons Pediatric Nursing. Ms. Kupahu-Marino Kahoano is the Founder and President of Caring for Hawai'i Neonates where she manages the Board and coordinates community development, fundraising, volunteering, and grant support. Prior to her current positions, Ms. Kupahu-Marino Kahoano worked as a nurse for Navian Hospice, Tripler Army Medical Center, Kapiolani Medical Center for Women and Children, San Diego Hospice and Palliative Care, Sharpe Mary Birth Women's Hospital, and Santa Rosa Memorial Hospital. Ms. Kupahu-Marino Kahoano is an active member in her community with fifty years of volunteerism including over forty years of Kumu Hula and cultural teaching. Your Committee further finds that Ms. Kupahu-Marino Kahoano's commitment to cultural competency in health care makes her well qualified for the King Kamehameha Celebration Commission. Your Committee therefore recommends that Ku'uleilanimekealohama Kupahu-Marino Kahoano be appointed to the King Kamehameha Celebration Commission based on her experience, knowledge, and commitment to public service.

JERALD KEAULANA

Your Committee received testimony in support of the nomination for the appointment of Jerald Keaulana from the Department of Business, Economic Development, and Tourism and King Kamehameha Celebration Commission.

Upon review of the testimony, your Committee finds that Mr. Keaulana's experience and knowledge qualify him for appointment to the King Kamehameha Celebration Commission as a member representing the Kapahulu Music Club. Your Committee notes that Mr. Keaulana is currently responsible for the teaching, planning, and designing of Hawaiian language courses at Punahou School, and is a Hawaiian music and dance resource teacher for grades K-12. With thirty-eight years of experience in education, Mr. Keaulana has had lecturer, educator, and professorship positions at Molokai High and Intermediate School, Washington Intermediate School, Kapiolani Community College, Honolulu Community College, Kalani High School, University of Hawaii at Manoa, Lei Hulu Hula School, and Punahou School. Mr. Keaulana is an active member in his community and is a Board Member of the Lanikuhonua Cultural Institute, Waianae Coast Comprehensive Health Center, Mary Kawena Pukui Society, Lei O Lanikujonua, and Waihona Mele No'eau. Additionally, your Committee notes that Mr. Keaulana has a distinguished publication record with ten published works relating to Hawaiian language and culture and is a native speaker of the Hawaiian language. Your Committee therefore recommends that Jerald Keaulana be appointed to the King Kamehameha Celebration Commission based on his experience, knowledge, and commitment to public service.

JAME SCHAEDEL

Your Committee received testimony in support of the nomination for the appointment of Jame Schaedel from the Department of Business, Economic Development, and Tourism; King Kamehameha Celebration Commission; and two individuals.

Upon review of the testimony, your Committee finds that Mr. Schaedel's experience and knowledge qualify him for appointment to the King Kamehameha Celebration Commission as a member representing Kamehameha Schools Alumni Association. Your Committee notes that Mr. Schaedel is a Policy Advisor for the Honolulu City Council. With over sixteen years of analyst and managerial experience, Mr. Schaedel has worked for the Hawaii House of Representatives, Honolulu City Council, Hawaii Department of Transportation, and Hawaii Department of Land and Natural Resources. In addition to working for the State, Mr. Schaedel is a servicemember with the United States Army Reserve and Hawaii Army National Guard. Mr. Schaedel is an active member in his community and is a Board Member of the Kamehameha Schools Alumni Association, member of the United States Coast Guard Auxiliary, State Legislative Officer for the Hawaii Veterans of Foreign Wars, and a member of the Kapolei Hawaiian Civic Club. Your Committee further finds that Mr. Schaedel's dedication to the State of Hawaii qualifies him for the King Kamehameha Celebration

Commission. Your Committee therefore recommends that Jame Schaedel be appointed to the King Kamehameha Celebration Commission 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, 3. Noes, none. Excused, 2 (Kanuha, Awa).

SCRep. 3960 Transportation and Culture and the Arts on Gov. Msg. No. 577

Recommending that the Senate advise and consent to the nomination of the following:

CHAIRPERSON, STATE FOUNDATION ON CULTURE & THE ARTS

G.M. No. 577 KONRAD NG, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Konrad Ng for service on the State Foundation on Culture and the Arts.

Your Committee received testimony in support of the nomination of Konrad Ng from the Department of Business, Economic Development, and Tourism; State Foundation on Culture and the Arts; Hawai'i International Film Festival; The Peale Center for Baltimore History and Architecture, Inc.; and five individuals.

Upon review of the testimony, your Committee finds that Dr. Ng's experience and knowledge qualify him for appointment as the Chairperson of the State Foundation on Culture and the Arts. Your Committee notes that Dr. Ng has been involved in the Arts for twenty-three years, including his most recent position as the Executive Director of Shangri La Museum of Islamic Art, Culture & Design in Honolulu. Dr. Ng's previous experience as a senior executive, curator, and educator includes working for the Smithsonian Institution, University of Hawai'i at Manoa, Honolulu Museum of Art, and Hawaii International Film Festival. In addition to his professional experience, Dr. Ng is active in the arts community, holding member positions on the Hawaii Public Radio Board of Directors, Center for Asian American Media National Advisory Board, and Asian American Literary Review Advisory Board. Your Committee finds that Dr. Ng's extensive expertise in the arts will continue to enhance the effectiveness of the State Foundation on Culture and the Arts. Your Committee therefore recommends that Konrad Ng be appointed to the State Foundation on Culture and the Arts based on his experience, knowledge, and commitment to the arts.

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, 3. Noes, none. Excused, 2 (Kanuha, Awa).

SCRep. 3961 Transportation and Culture and the Arts on Gov. Msg. No. 578

Recommending that the Senate advise and consent to the nomination of the following:

STATE FOUNDATION ON CULTURE & THE ARTS

G.M. No. 578 SEAN CONNELLY, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Sean Connelly for service on the State Foundation on Culture and the Arts.

Your Committee received testimony in support of the nomination of Sean Connelly from the Department of Business, Economic Development, and Tourism and State Foundation on Culture and the Arts.

Upon review of the testimony, your Committee finds that Dr. Connelly's experience and knowledge qualify him for appointment to the State Foundation on Culture and the Arts as an at-large member. Your Committee notes that Dr. Connelly has been involved in the arts for twenty-five years and was, most recently, an Adjunct Assistant Professor at Columbia University Graduate School of Architecture, Planning, and Preservation. In addition to a variety of teaching appointments and academic publications, Dr. Connelly is an accomplished artist whose work encompasses a variety of media including architecture, sculpture, film, and design. His works have been displayed at prestigious institutions and he has two upcoming exhibitions for the Smithsonian Museum and Orange County Museum of Art. Your Committee further notes that Dr. Connelly is currently involved in two building projects: the Kaunani Learning Lab Masterplan and Building Concept and Makena Golf and Beach Club Affordable Housing Project. Your Committee finds that Dr. Connelly's extensive experience in the arts will continue to enhance the effectiveness of the State Foundation on Culture and the Arts. Your Committee therefore recommends that Sean Connelly be appointed to the State Foundation on Culture and the Arts based on his background, knowledge, and passion for the arts.

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, 3; Ayes with Reservations (Elefante). Noes, none. Excused, 2 (Kanuha, Awa).

SCRep. 3962 (Joint) Transportation and Culture and the Arts and Government Operations on H.C.R. No. 157

The purpose and intent of this measure is to urge the United States and the State to recognize and take action to address the ongoing air transport crisis on Molokai and Lanai.

Your Committees received testimony in support of this measure from AlohaCare, The Queen's Health System, a member of the Maui County Council, and two individuals.

Your Committees find that Molokai and Lanai residents face a unique struggle with the high cost and inconsistency of air travel and the lack of sufficient access to critical medical care. Your Committees further find that federal regulations hinder the State's ability to manage air transportation and thus forestall any attempt to improve the situation for residents of Molokai Lanai. Your Committees conclude that improved air transportation services to Molokai and Lanai would ensure that affected residents have access to a broader range of off-island necessary health care services and other personal appointments, meetings, and needs.

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 H.C.R. No. 157, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3963 (Joint) Transportation and Culture and the Arts and Government Operations on H.C.R. No. 49

The purpose and intent of this measure is to request the City and County of Honolulu to conduct a sidewalk feasibility study between Kamañaki Street and Kalihi Valley Park to address major concerns and deficiencies along Kalihi Street.

Your Committees received testimony in support of this measure from one individual.

Your Committees find that Kalihi Valley is an older community that was largely built before modern standards for road construction were developed. Your Committees further find that the upper portion of Kalihi Street, the main artery through Kalihi Valley, has no sidewalks at all resulting in many dangerous locations along the street, particularly for the disabled and kupuna, who are unable to traverse certain places along the street without walking onto the street itself. Your Committees conclude that it is necessary to study the feasibility of placing sidewalks along this vital roadway to ensure the safety of Kalihi Valley residents.

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 H.C.R. No. 49, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Inouye, Awa).

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Awa).

SCRep. 3964 Health and Human Services on H.C.R. No. 125

The purpose and intent of this measure is to request the establishment of a Telehealth Working Group to examine the impact of widespread telehealth adoption during the coronavirus disease 2019 (COVID-19) pandemic and identify public policy initiatives at the federal and state levels to optimize telehealth utilization as the State transitions out of the COVID-19 pandemic.

Your Committee received testimony in support of this measure from the Department of Health, Department of Human Services, The Queen's Health System, Grassroot Institute of Hawaii, University of Hawai'i System, and one individual.

Your Committee finds that the State experienced an increase in the use of telehealth during the COVID-19 pandemic. Your Committee further finds that although there is data to support the safety, efficacy, timeliness, access, and cost effectiveness of telehealth, the impact of widespread telehealth adoption in the State is largely unknown. This measure provides the State with greater insight into existing telehealth challenges and benefits by requesting the working group to evaluate and report on the impact of widespread telehealth adoption in the State on safety, utilization, total cost of care, and patient and provider satisfaction.

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. 125, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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