

SCRep. 1252 Higher Education and the Arts on H.C.R. No. 110

The purpose of this concurrent resolution is to request the University of Hawaii to prepare a proposal for educational assessment and its implementation, including costs involved, time involved, accessibility of data and priority of particular types of evaluation.

Testimony in support of the concurrent resolution was received from the University of Hawaii's Director of Planning and Policy. Your Committee finds that progress towards such a program has been made through studies done by the University of Hawaii and the Legislative Auditor's office. The Director testified that the University has no objections to the resolution and supports its intent to encourage the University's educational assessment activities.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.C.R. No. 110 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1253 Higher Education and the Arts on H.R. No. 103

The purpose of this resolution is to urge the Board of Regents to consider establishing a permanent campus for West Oahu College in the Ewa plain to meet the needs of the growing population in Leeward and Central Oahu.

Your Committee received testimony in support of the resolution from The Estate of James Campbell and numerous concerned citizens. The Manager of Governmental Affairs of the Campbell Estate testified that land has been set aside to be donated to the State and County for public service use and would approve of part of the acreage to be used for a permanent campus for West Oahu College. Area residents, students and graduates of West Oahu College testified of the need for a permanent campus for the college. Many stated their desire to see the college continue to serve the special needs of older students and those who cannot spend the hours everyday commuting to the University of Hawaii's Manoa campus.

Your Committee also heard testimony from the President of the University of Hawaii and the Chancellor of West Oahu College in support of the intent of the resolution. The University of Hawaii testified that as part of the University's Strategic Plan all possibilities which would address the higher education needs of the Leeward and Central Oahu area, including the establishment of a permanent campus for West Oahu College, are to be explored. However, the President recommended that the wording of the resolution be changed to delete the restriction of the study to an Ewa site only. Your Committee has adopted this recommendation and has amended the language to reflect this change.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.R. No. 103, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 103, H.D. 1.

Signed by all members of the Committee.

SCRep. 1254 Higher Education and the Arts on H.C.R. No. 56

The purpose of this concurrent resolution is to urge the Board of Regents to consider establishing a permanent campus for West Oahu College in the Ewa plain to meet the needs of the growing population in Leeward and Central Oahu.

Your Committee received testimony in support of the concurrent resolution from The Estate of James Campbell and numerous concerned citizens. The Manager of Governmental Affairs of the Campbell Estate testified that land has been set aside to be donated to the State and County for public service use and would approve of part of the acreage to be used for a permanent campus for West Oahu College. Area residents, students and graduates of West Oahu College testified of the need for a permanent campus for the college. Many stated their desire to see the college continue to serve the special needs of older students and those who cannot spend the hours everyday commuting to the University of Hawaii's Manoa campus.

Your Committee also heard testimony from the President of the University of

Hawaii and the Chancellor of West Oahu College in support of the intent of the concurrent resolution. The University of Hawaii testified that as part of the University's Strategic Plan all possibilities which would address the higher education needs of the Leeward and Central Oahu area, including the establishment of a permanent campus for West Oahu College, are to be explored. However, the President recommended that the wording of the concurrent resolution be changed to delete the restriction of the study to an Ewa site only. Your Committee has adopted this recommendation and has amended the language to reflect this change.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.C.R. No. 56, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 56, H.D. 1.

Signed by all members of the Committee.

SCRep. 1255 Legislative Management on H.C.R. No. 40

The purpose of this concurrent resolution is to have the leaders of the Legislature contract with the National Conference of State Legislatures to conduct an evaluation of the three legislative agencies: the Legislative Auditor, the Legislative Reference Bureau, and the Ombudsman.

Your Committee finds that since the establishment of these agencies decades ago, the operation and jurisdiction of each has expanded apace with the growing complexity of the work of the Legislature. However, no comprehensive evaluation has ever been done to assess the operations of these agencies in light of their evolution.

Your Committee agrees that a comprehensive evaluation by a qualified independent agency is needed to determine whether these agencies' current operations are appropriate and are meeting the needs of the Legislature.

Your Committee has amended this concurrent resolution to specify areas for evaluation.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 40, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 40, H.D. 1.

Signed by all members of the Committee except Representative Apo.

SCRep. 1256 Legislative Management on H.R. No. 12

The purpose of this resolution is to request the Legislative Auditor to conduct a financial, management, and program audit of the State Foundation on Culture and the Arts.

Your Committee finds that the first and only legislative audit of the State Foundation on Culture and the Arts (SFCA) was conducted over ten years ago to determine whether its programs were being implemented in an effective and efficient manner and to ascertain the accuracy of its financial statements. That audit found numerous deficiencies in SFCA's implementation of its programs, and many recommendations were made to improve the management and operations of SFCA and to resolve policy issues.

In its 1983 report entitled "Response to the Legislative Auditor's Report of 1976," the SFCA has outlined the progress it has made to improve its operations and performance. However, your Committee believes that an independent audit is necessary to ensure that the SFCA is effective in addressing the needs of the State in the areas of culture and the arts and history and the humanities; in encouraging the development of our arts and preservation of our ethnic heritage; in responding to the wide spectrum of tastes that exists in Hawaii; in adapting to changing times and circumstances; and in running its affairs more efficiently.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 12, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1257 Legislative Management on H.C.R. No. 5

The purpose of this concurrent resolution is to request the Legislative Auditor to conduct a financial, management, and program audit of the State Foundation on Culture and the Arts.

Your Committee finds that the first and only legislative audit of the State Foundation on Culture and the Arts (SFCA) was conducted over ten years ago to determine whether its programs were being implemented in an effective and efficient manner and to ascertain the accuracy of its financial statements. That audit found numerous deficiencies in SFCA's implementation of its programs, and many recommendations were made to improve the management and operations of SFCA and to resolve policy issues.

In its 1983 report entitled "Response to the Legislative Auditor's Report of 1976," the SFCA has outlined the progress it has made to improve its operations and performance. However, your Committee believes that an independent audit is necessary to ensure that the SFCA is effective in addressing the needs of the State in the areas of culture and the arts and history and the humanities; in encouraging the development of our arts and preservation of our ethnic heritage; in responding to the wide spectrum of tastes that exists in Hawaii; in adapting to changing times and circumstances; and in running its affairs more efficiently.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 5, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1258 Legislative Management on H.R. No. 71

The purpose of this resolution is to request the Legislative Auditor to conduct an audit of the administrative staffing of the State and District offices of the Department of Education to evaluate the use of personnel for possible redeployment of nonessential administrative positions to the classrooms to reduce the student-teacher ratio.

Your Committee finds little evidence that the Department of Education has addressed this problem since it was first brought to light in a management audit conducted by the Legislative Auditor in 1983. A follow-up audit will provide an indication of what steps the DOE has taken to correct these areas and what steps should be taken in the future.

The Department of Education testified in favor of this resolution.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 71, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1259 Legislative Management on H.C.R. No. 43

The purpose of this concurrent resolution is to request the Legislative Auditor to conduct an audit of the administrative staffing of the State and District offices of the Department of Education to evaluate the use of personnel for possible redeployment of nonessential administrative positions to the classrooms to reduce the student-teacher ratio.

Your Committee finds little evidence that the Department of Education has addressed this problem since it was first brought to light in a management audit conducted by the Legislative Auditor in 1983. A follow-up audit will provide an indication of what steps the DOE has taken to correct these areas and what steps should be taken in the future.

The Department of Education testified in favor of this concurrent resolution.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 43, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1260 Ocean and Marine Resources and Water, Land Use,
Development and Hawaiian Affairs on H.C.R. No. 77

The purpose of this concurrent resolution is to authorize the Department of Land and Natural Resources to grant an easement over submerged land or land beneath certain tidal waters.

By law, both the Governor and the Legislature must grant approval before the Board may proceed.

The Governor approved this proposed disposition on July 22, 1986.

This disposition involves the sale of perpetual non-exclusive easement rights for clearing, leveling, and construction of two pedestrian foot bridges on approximately one acre of submerged land seaward of the certified shoreline at Tax Map Key 6-9-07:14, 16, and 26, Anaehoomalu, South Kohala, Hawaii, offshore of the Waikoloa Beach Resort. The sale of easement will be made to ATPAC Land Company or its nominee.

Your Committees heard testimony from the Department of Land and Natural Resources in favor of this concurrent resolution.

Your Committees have amended this concurrent resolution so that the easements may not be considered a substitute for ancient Hawaiian trails in that area.

Your Committees have also amended this concurrent resolution to provide unrestricted public access to the two proposed pedestrian bridges.

Your Committees on Ocean and Marine Resources and Water, Land Use, Development and Hawaiian Affairs concur with the intent and purpose of H.C.R. No. 77, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 77, H.D. 1.

Signed by all members of the Committees.

SCRep. 1261 Ocean and Marine Resources on H.R. No. 157

The purpose of this resolution is to request Hawaii's congressional delegation to support the restoration of federal funds that are to be cut from the National Oceanic and Atmospheric Administration (NOAA) budget.

The Department of Planning and Economic Development testified that the proposed cuts would have grievous and lasting impact on Hawaii, taking needed money from, and perhaps eliminating, programs such as the Sea Grant College Program at the University of Hawaii, the Hawaii Undersea Research Laboratory, and the Honolulu Laboratory of the National Marine Fisheries Service.

Your Committee finds that the ocean is a vital and promising resource for Hawaii's future economic development. Your Committee further finds that continued federal support is necessary to improve and cultivate Hawaii's reputation as a leader in ocean research.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.R. No. 157 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1262 Ocean and Marine Resources on H.R. No. 176

The purpose of this resolution is to urge Hawaii's congressional delegation to support the development of a state-of-the-art facility for commercially viable aquaculture research at the Oceanic Institute.

Your Committee finds that the Oceanic Institute has a long history of providing mariculture research services and, more recently, training in aquaculture science. The Institute, with this support, can provide technical and managerial assistance for several of the businesses targeted for expansion in Hawaii, such as aquaculture, biotechnology, and technical instrumentation.

This resolution is a statement of support for a state-of-the-art applied marine aquaculture research facility, termed the Center for Applied Aquaculture Research and Training, and recommends that the State consider matching funds in the event that the federal government provides such funding.

Your Committee has amended this resolution to emphasize that a coordinated effort by both public research institutions and private non-profit organizations is needed.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.R. No. 176, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 176, H.D. 1.

Signed by all members of the Committee.

SCRep. 1263 Ocean and Marine Resources on H.C.R. No. 104

The purpose of this concurrent resolution is to urge Hawaii's congressional delegation to support the development of a state-of-the-art facility for commercially viable aquaculture research at the Oceanic Institute.

Your Committee finds that the Oceanic Institute has a long history of providing mariculture research services and, more recently, training in aquaculture science. The Institute, with this support, can provide technical and managerial assistance for several of the businesses targeted for expansion in Hawaii, such as aquaculture, biotechnology, and technical instrumentation.

This concurrent resolution is a statement of support for a state-of-the-art applied marine aquaculture research facility, termed the Center for Applied Aquaculture Research and Training, and recommends that the State consider matching funds in the event that the federal government provides such funding.

Your Committee has amended this concurrent resolution to emphasize that a coordinated effort by both public research institutions and private non-profit organizations is needed.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.C.R. No. 104, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 104, H.D. 1.

Signed by all members of the Committee.

SCRep. 1264 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 143

The purpose of this resolution as received by your Committee was to request the Economic Development Corporation of Honolulu to catalogue and promote Honolulu's space-related business assets.

Your Committee finds that Hawaii has exciting potential for development as a space center and recognizes there are opportunities to bring both Asian and American aerospace companies to Hawaii because of our obvious advantages. However, an inventory of space related business assets is needed both to provide basic information to attract potential companies and to help us be sure we maximize our aerospace resources and advantages. When we know exactly what we have, we will be able to see what further infrastructure should be developed.

The Department of Planning and Economic Development has been designated by the Governor as the lead agency for space related projects and, therefore, would be the logical agency to coordinate an inventory of our assets. The private development corporations in each county would have valuable knowledge in this area, and are asked to assist DPED in this task. Promoting Hawaii's space related capabilities prior to completion of the ground work might be premature, so reference in the resolution to promotion has been deleted. Both the title and the body of the resolution have been amended accordingly.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 143, as amended, and recommends its adoption in the form attached hereto as H.R. No. 143, H.D. 1.

Signed by all members of the Committee except Representative Say.

SCRep. 1265 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 81

The purpose of this concurrent resolution as received by your Committee was to request the Economic Development Corporation of Honolulu to catalogue and promote Honolulu's space-related business assets.

Your Committee finds that Hawaii has exciting potential for development as a space center and recognizes there are opportunities to bring both Asian and American aerospace companies to Hawaii because of our obvious advantages. However, an inventory of space related business assets is needed both to provide basic information to attract potential companies and to help us be sure we maximize our aerospace resources and advantages. When we know exactly what we have, we will be able to see what further infrastructure should be developed.

The Department of Planning and Economic Development has been designated by the Governor as the lead agency for space related projects and, therefore, would be the logical agency to coordinate an inventory of our assets. The private development corporations in each county would have valuable knowledge in this area, and are asked to assist DPED in this task. Promoting Hawaii's space related capabilities prior to completion of the ground work might be premature, so reference in the concurrent resolution to promotion has been deleted. Both the title and the body of the concurrent resolution have been amended accordingly.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 81, as amended, and recommends its adoption in the form attached hereto as H.C.R. No. 81, H.D. 1.

Signed by all members of the Committee except Representative Say.

SCRep. 1266 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 55

The purpose of this resolution is to study the feasibility of a land exchange between the State and Alexander and Baldwin, Inc. for the present site of the Maui County Fairground.

The present Maui County Fairgrounds have been the traditional site of the Maui County Fair since 1918. Your Committee finds that even though the 1984 Legislature requested A & B to extend the lease till 1986 to allow time to find a permanent location for the fair, a better alternate site has not been located. Your Committee supports the preference for retaining the present site.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 55 and recommends its adoption.

Signed by all members of the Committee except Representative Say.

SCRep. 1267 Judiciary and Higher Education and the Arts on H.R. No. 21

The purpose of this resolution is to appoint an ad hoc committee to review the current use of private-appointed counsel in criminal cases involving conflicts and the possible creation of a second public defender program.

A second public defender program conceptually provides legal representation to codefendants and other situation where the primary public defender program declares conflicts with existing or past criminal defendants.

Your Committee feels that the study will address the questions raised by both the proponents and opponents of the second public defender program for the State. The study will also determine the relative costs of such a program versus the private counsel appointment system.

Your Committees on Judiciary and Higher Education and the Arts concur with the intent and purpose of H.R. No. 21 and recommend that it be referred to the Committee on Legislative Management.

Signed by all members of the Committees except Representatives Bellinger, Bunda, Cachola, Hashimoto, Lee, Levin, Peters, Shito, Shon, Tam, Yoshimura and Pfeil.

SCRep. 1268 Judiciary and Higher Education and the Arts on H.C.R. No. 12

The purpose of this concurrent resolution is to appoint an ad hoc committee to review the current use of private-appointed counsel in criminal cases involving conflicts and the possible creation of a second public defender program.

A second public defender program conceptually provides legal representation to codefendants and other situation where the primary public defender program declares conflicts with existing or past criminal defendants.

Your Committee feels that the study will address the questions raised by both the proponents and opponents of the second public defender program for the State. The study will also determine the relative costs of such a program versus the private counsel appointment system.

Your Committees on Judiciary and Higher Education and the Arts concur with the intent and purpose of H.C.R. No. 12 and recommend that it be referred to the Committee on Legislative Management.

Signed by all members of the Committees except Representatives Andrews, Bellinger, Bunda, Cachola, Hashimoto, Lee, Levin, Peters, Shito, Shon, Tam, Yoshimura and Pfeil.

SCRep. 1269 Judiciary on H.R. No. 45

The purpose of this resolution is to request the Office of the Legislative Auditor to study the feasibility as to longer terms of office for elected officials and whether or not this would reduce campaign expenditures.

Increasingly, elected officials, their supporters and the general public express concern over the rapid escalation of campaign costs and the disturbing trend toward special interest organizations becoming the primary sources of campaign funds rather than the individual voters. An analysis of the 1986 elections revealed that of the total contributions to campaigns, businesses contributed 70%, unions contributed 17%, law firms and medical organizations contributed 6%, political parties contributed 4% and groups organized to support specific election issues contributed 3%.

The Legislature has been reluctant to impose a ceiling on campaign expenditures because of concerns about the constitutionality of such a ceiling. Your Committee feels that the Legislature should explore other possible solutions to reduce costs of political campaigning.

Your Committee on Judiciary concurs with the intent and purpose of H.R. No. 45 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Bellinger, Cachola, Peters, Shito and Yoshimura.

SCRep. 1270 Judiciary on H.C.R. No. 26

The purpose of this concurrent resolution is to request the Office of the Legislative Auditor to study the feasibility as to longer terms of office for elected officials and whether or not this would reduce campaign expenditures.

Increasingly, elected officials, their supporters and the general public express concern over the rapid escalation of campaign costs and the disturbing trend toward special interest organizations becoming the primary sources of campaign funds rather than the individual voters. An analysis of the 1986 elections revealed that of the total contributions to campaigns, businesses contributed 70%, unions contributed 17%, law firms and medical organizations contributed 6%, political parties contributed 4% and groups organized to support specific election

issues contributed 3%.

The Legislature has been reluctant to impose a ceiling on campaign expenditures because of concerns about the constitutionality of such a ceiling. Your Committee feels that the Legislature should explore other possible solutions to reduce costs of political campaigning.

Your Committee on Judiciary concurs with the intent and purpose of H.C.R. No. 26 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Andrews, Bellinger, Cachola, Peters, Shito and Yoshimura.

SCRep. 1271 Judiciary on H.R. No. 47

The purpose of this resolution is to request that the Legislative Reference Bureau examine the need for two systems of recording land titles in Hawaii. The resolution also directs the study to consider where consolidating the two systems would result in financial savings. The resolution also requests the cooperation of the Land Court and the Bureau of Conveyances with the study.

Currently, Chapter 501, HRS, provides for the registration of title to land through the Land Court. Chapter 502, HRS, provides for the recording of all instruments relating to real property through the Bureau of Conveyances.

The resolution received the support of the Judiciary and the Department of Land and Natural Resources.

Your Committee amended the resolution to address the concern of the Judiciary that the examination should compare both systems of land ownership in Hawaii, the Torrens title system administered by the Land Court and the regular system. Any comparison of only the recording of land titles in each system would be misleading since the recording function is only part of these two systems of land ownership in Hawaii.

Your Committee also amended the resolution to request the Attorney General's cooperation with the Legislative Reference Bureau and the two land systems in the review.

Your Committee on Judiciary concurs with the intent and purpose of H.R. No. 47, as amended herein, and recommends that it be referred to the Committee on Legislative Management, in the form attached hereto as H.R. No. 47, H.D. 1.

Signed by all members of the Committee except Representatives Bellinger, Cachola, Peters, Shito and Yoshimura.

SCRep. 1272 Judiciary on H.C.R. No. 27

The purpose of this concurrent resolution is to request that the Legislative Reference Bureau examine the need for two systems of recording land titles in Hawaii. The concurrent resolution also directs the study to consider where consolidating the two systems would result in financial savings. The concurrent resolution also requests the cooperation of the Land Court and the Bureau of Conveyances with the study.

Currently, Chapter 501, HRS, provides for the registration of title to land through the Land Court. Chapter 502, HRS, provides for the recording of all instruments relating to real property through the Bureau of Conveyances.

The concurrent resolution received the support of the Judiciary and the Department of Land and Natural Resources.

Your Committee amended the concurrent resolution to address the concern of the Judiciary that the examination should compare both systems of land ownership in Hawaii, the Torrens title system administered by the Land Court and the regular system. Any comparison of only the recording of land titles in each system would be misleading since the recording function is only part of these two systems of land ownership in Hawaii.

Your Committee also amended the concurrent resolution to request the Attorney General's cooperation with the Legislative Reference Bureau and the two land systems in the review.

Your Committee on Judiciary concurs with the intent and purpose of H.C.R. No. 27, as amended herein, and recommends that it be referred to the Committee on Legislative Management, in the form attached hereto as H.C.R. No. 27, H.D. 1.

Signed by all members of the Committee except Representatives Andrews, Bellinger, Cachola, Peters, Shito and Yoshimura.

SCRep. 1273 Judiciary on H.R. No. 395

The purpose of this resolution is to request the Legislative Reference Bureau to study the frequency of tort claims filed against nonprofit sports organizations and their volunteers in Hawaii and other states. The study should also determine whether or not the number of suits has been increasing, and to determine how other jurisdictions of similar size and circumstances are dealing with the issues of tort protection for these organizations and volunteers.

Your Committee acknowledges the valuable work provided by volunteers in nonprofit sports programs, particularly those programs that serve the youth of our community. There is some concern, however, on the part of the organizations and volunteers that they may be the target of tort suits and may therefore need some sort of legislative protection or a method to meet the rapidly rising liability insurance premiums to continue their work.

Your Committee on Judiciary concurs with the intent and purpose of H.R. No. 395 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Peters, Shito, Yoshimura, Hemmings and Jones.

SCRep. 1274 Judiciary on H.R. No. 394

The purpose of this resolution is to request the House Committee on Judiciary to conduct a comprehensive interim review of spouse abuse issues.

Spouse abuse is a widespread social problem which impacts all levels of society and which causes enormous physical and emotional injury to adults and children alike. While research in this area remains limited, new information is becoming available in other jurisdictions which sheds light on the problem of spouse abuse and alternative means of handling this terrible problem. Your Committee feels the level of public concern requires the highest level of planning and resources from our institutions, and the State of Hawaii would greatly benefit by discussions with other governments and agencies who are addressing the concerns of spouse abuse in an aggressive and forthright manner.

Your Committee on Judiciary concurs with the intent and purpose of H.R. No. 394 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Peters, Shito, Yoshimura, Hemmings and Jones.

SCRep. 1275 Judiciary on H.R. No. 391

The purpose of this resolution is to direct the House Committee on Judiciary to undertake a study of the issues involved in the rights of privacy and open access to government records as they apply to Hawaii and to hold informational hearings to obtain testimony from experts in areas dealing directly with those issues.

As government activities become more pervasive in the lives of private individuals, the balance becomes more precarious between the need for confidentiality of vital government records and the public right of access to the government process. Although there are a number of laws in Hawaii protecting the various

rights and interests of parties involved in information collection and dissemination, your Committee feels it necessary to study existing laws to determine what is private and what is clearly public domain.

Your Committee on Judiciary concurs with the intent and purpose of H.R. No. 391 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Peters, Shito, Yoshimura, Hemmings and Jones.

SCRep. 1276 Judiciary on H.R. No. 293

The purpose of this resolution is to direct the House Committee on Judiciary to undertake a review of the structure of available services to those persons faced with family abuse and to solicit input at interim informational hearings from professionals and agencies involved in child and spouse abuse prevention.

Your Committee received support for the resolution from the Department of Social Services and Housing, the Department of Health, and the Honolulu Prosecutor's Victim and Witness Kokua Program with the recommendation that their agencies be included as resource persons in any studies undertaken by the Committee.

Your Committee has therefore amended the resolution to direct the Committee to solicit input from the Prosecuting Attorney's Office and Victim and Witness Programs of each of the counties.

Your Committee on Judiciary concurs with the intent and purpose of H.R. No. 293, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 293, H.D. 1.

Signed by all members of the Committee except Representatives Peters, Shito, Yoshimura, Hemmings and Jones.

SCRep. 1277 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 87

The purpose of this resolution is to request that the Legislative Auditor conduct a follow-up audit on the progress of the Office of Hawaiian Affairs in response to recommendations made in a previous audit, for the purpose of ascertaining whether or not state funds are being used efficiently and effectively.

Your Committee finds that an audit of the Office of Hawaiian Affairs is vital to the future effectiveness of the office.

OHA requested that it be given time to respond to recommendations of the audit it commissioned, before another independent review is initiated.

Your Committee therefore has amended the resolution by changing the due date of the Legislative Auditor's report to the Legislature from "twenty days prior to the convening of the Regular Session of 1988" to "twenty days prior to the convening of the Regular Session of 1989."

Your Committee has also amended the resolution to direct the Office of Hawaiian Affairs to submit a progress report on implementation of the recent audit, before the Legislative Auditor conducts a follow-up audit.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 87, as amended, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.C.R. No. 87, H.D. 1.

Signed by all members of the Committee except Representatives Honda, Lee and Pfeil.

SCRep. 1278 Water, Land Use, Development and Hawaiian Affairs on
S.C.R. No. 13

Your Committee finds that the National Cemetery of the Pacific, Punchbowl, is nearing capacity and is projected to stop accepting casket burials by March 1989. A State Veterans Cemetery is needed.

Your Committee has amended this concurrent resolution to encompass all of Oahu and to require that the site be of "sufficient" size. Your Committee has also required that the site assessment be completed by August 15, 1987, because the federal government has indicated that it must receive an application from the State by September 30 if federal matching funds are to be available. Your Committee has also made non-substantive amendments.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of S.C.R. No. 13, as amended herein, and recommends that it be referred to the Committee on Legislative Management, in the form attached hereto as S.C.R. No. 13, H.D. 1.

Signed by all members of the Committee except Representative Pfeil.

SCRep. 1279 Health on H.R. No. 259

The purpose of this resolution is to request that the Department of Health implement the recommendations of the Legislative Auditor and the Office of Environmental Quality Control in order to improve the department's food and drug program.

Currently, the Department of Health has begun work on several of the administrative recommendations made by the Legislative Auditor and the Office of Environmental Quality Control. Another proposal which is being considered is the reorganization of the entire Environmental Protection and Health Services Division, of which the food and drug program is a part. By reorganizing the division, the Department of Health believes they will be able to strengthen the management and improve the effectiveness of their environmental programs.

Your Committee received testimony in support of this resolution from the Department of Health and the Board of Agriculture.

Your Committee on Health concurs with the intent and purpose of H.R. No. 259, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Peters.

SCRep. 1280 Health on H.C.R. No. 150

The purpose of this concurrent resolution is to request that the Department of Health implement the recommendations of the Legislative Auditor and the Office of Environmental Quality Control in order to improve the department's food and drug program.

Currently, the Department of Health has begun work on several of the administrative recommendations made by the Legislative Auditor and the Office of Environmental Quality Control. Another proposal which is being considered is the reorganization of the entire Environmental Protection and Health Services Division, of which the food and drug program is a part. By reorganizing the division, the Department of Health believes they will be able to strengthen the management and improve the effectiveness of their environmental programs.

Your Committee received testimony in support of this concurrent resolution from the Department of Health and the Board of Agriculture.

Your Committee on Health concurs with the intent and purpose of H.C.R. No. 150, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Peters.

SCRep. 1281 Housing and Community Development on H.R. No. 116

The purpose of this resolution is to request the City and County of Honolulu to report on the controversy surrounding the development of the Nuuanu Park Place condominium and to report on alternatives to improving ingress to and egress from Nuuanu Park Place.

Representatives of landowners along Huna Street, the road leading to Nuuanu Park Place, submitted testimony in support of this resolution. Your Committee also heard testimony from the President of the Association of Apartment Owners of Nuuanu Park Place expressing concern over such a report, but desiring to work with the Legislature, the City, and other Huna Street neighbors to find a solution to present problems.

Your Committee has amended the resolution by correcting the description of the size of the condominium; adding seven more topics for consideration in the report; providing for a deadline for the report; and including other parties as recipients of the resolution.

Your Committee on Housing and Community Development concurs with the intent and purpose of H.R. No. 116, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 116, H.D. 1.

Signed by all members of the Committee except Representatives M. Ige, Kawakami and Peters.

SCRep. 1282 Housing and Community Development on H.C.R. No. 62

The purpose of this concurrent resolution is to request the City and County of Honolulu to report on the controversy surrounding the development of the Nuuanu Park Place condominium and to report on alternatives to improving ingress to and egress from Nuuanu Park Place.

Representatives of landowners along Huna Street, the road leading to Nuuanu Park Place, submitted testimony in support of this concurrent resolution. Your Committee also heard testimony from the President of the Association of Apartment Owners of Nuuanu Park Place expressing concern over such a report, but desiring to work with the Legislature, the City, and other Huna Street neighbors to find a solution to present problems.

Your Committee has amended the concurrent resolution by correcting the description of the size of the condominium; adding seven more topics for consideration in the report; providing for a deadline for the report; and including other parties as recipients of the concurrent resolution.

Your Committee on Housing and Community Development concurs with the intent and purpose of H.C.R. No. 62, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 62, H.D. 1.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 1283 Finance on H.R. No. 386

The purpose of this resolution is to monitor and as necessary, conduct oversight hearings on the execution of the 1987-89 biennium budgets of the Executive, Judiciary and Office of Hawaiian Affairs during the 1987 interim.

Your Committee finds that the proper planning and implementation of detailed program activity in these three State agencies should be monitored to ensure that expenditure plans are consistent with short and long range goals and further that objectives are appropriately developed in accordance with the intent and policies set forth by this Legislature body.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 386 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee.

SCRep. 1284 Consumer Protection and Commerce on H.R. No. 434

The purpose of this resolution is to request the Legislative Reference Bureau to conduct a study which would include the identification of the nature and extent of the unavailability of insurance coverage for residents who own property in areas which are susceptible to natural disaster, the determination of whether the problem justifies government intervention, and a comparison of the Fair Access to Insurance Requirements Plan and Joint Underwriting Plan, and the submitting of the study to the Legislature prior to the convening of the Regular Session of 1988.

Your Committee has received testimony in support of the resolution from the Insurance Commissioner.

Your Committee finds that there are residents of Hawaii who are unable to obtain basic property insurance because their property is located in areas which are susceptible to natural disasters or because of the location, age, or dilapidated condition of their dwellings.

Your Committee further finds that there are two mechanisms, the Fair Access to Insurance Requirements Plan and the Joint Underwriting Plan, which may provide the needed insurance coverage.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.R. No. 434 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Andrews, Peters, Hemmings and Jones.

SCRep. 1285 Consumer Protection and Commerce on H.C.R. No. 268

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to conduct a study which would include the identification of the nature and extent of the unavailability of insurance coverage for residents who own property in areas which are susceptible to natural disaster, the determination of whether the problem justifies government intervention, and a comparison of the Fair Access to Insurance Requirements Plan and Joint Underwriting Plan, and the submitting of the study to the Legislature prior to the convening of the Regular Session of 1988.

Your Committee has received testimony in support of the concurrent resolution from the Insurance Commissioner.

Your Committee finds that there are residents of Hawaii who are unable to obtain basic property insurance because their property is located in areas which are susceptible to natural disasters or because of the location, age, or dilapidated condition of their dwellings.

Your Committee further finds that there are two mechanisms, the Fair Access to Insurance Requirements Plan and the Joint Underwriting Plan, which may provide the needed insurance coverage.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.C.R. No. 268 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Andrews, Peters, Hemmings and Jones.

SCRep. 1286 Consumer Protection and Commerce on H.R. No. 61

The purpose of this resolution is to urge the implementation of the emergency "911" public access system for police, fire, emergency ambulance, and other urgent public services throughout the State.

"911" is a universal telephone numbering plan which is designed to assist the public in contacting community emergency service agencies during times of emergency in the fastest and easiest manner possible.

"911" was established in Honolulu in 1975. Maui began its service in 1979, and Kauai began in 1981. The County of Hawaii has not subscribed to "911" service because of the high cost of providing the service throughout that island.

Your Committee finds that the implementation of the "911" emergency service will benefit the residents of the County of Hawaii by improving that county's response time to emergency cases. Your Committee further finds that in order for that county to implement such a service, it will require an estimated amount of \$36,000.00 for installation charges and an estimated amount of \$160,000.00 for its first year of total annual charges. Your Committee recommends that the State provide \$16,000.00, or one-half of the installation charges, and \$80,000.00, or one-half of the total annual charges. Your Committee has amended the resolution to reflect this recommendation.

Your Committee notes the unusual mechanism used for a budget item as proposed by the substance of this resolution. Your Committee has been informed that the information necessary for the implementation of the "911" service for the County of Hawaii has become available only recently and could not have been provided in time to meet the internal deadlines required for the passage of a legislative measure.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.R. No. 61, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 61, H.D. 1.

Signed by all members of the Committee.

SCRep. 1287 Consumer Protection and Commerce on H.C.R. No. 34

The purpose of this concurrent resolution is to urge the implementation of the emergency "911" public access system for police, fire, emergency ambulance, and other urgent public services throughout the State.

"911" is a universal telephone numbering plan which is designed to assist the public in contacting community emergency service agencies during times of emergency in the fastest and easiest manner possible.

"911" was established in Honolulu in 1975. Maui began its service in 1979, and Kauai began in 1981. The County of Hawaii has not subscribed to "911" service because of the high cost of providing the service throughout that island.

Your Committee finds that the implementation of the "911" emergency service will benefit the residents of the County of Hawaii by improving that county's response time to emergency cases. Your Committee further finds that in order for that county to implement such a service, it will require an estimated amount of \$36,000.00 for installation charges and an estimated amount of \$160,000.00 for its first year of total annual charges. Your Committee recommends that the State provide \$16,000.00, or one-half of the installation charges, and \$80,000.00, or one-half of the total annual charges. Your Committee has amended the concurrent resolution to reflect this recommendation.

Your Committee notes the unusual mechanism used for a budget item as proposed by the substance of this concurrent resolution. Your Committee has been informed that the information necessary for the implementation of the "911" service for the County of Hawaii has become available only recently and could not have been provided in time to meet the internal deadlines required for the passage of a legislative measure.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.C.R. No. 34, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 34, H.D. 1.

Signed by all members of the Committee.

SCRep. 1288 Intergovernmental Relations on H.R. No. 271

The purpose of this House resolution, as received by your Committee, is to

request the Department of Planning and Economic Development, in conjunction with community members and groups, to conduct a study to identify a form of local government for Molokai that will be consistent with the needs and resources of the island.

Your Committee received voluminous testimony concerning H.R. No. 271. The State Department of Planning and Economic Development testified that they had no objection to the resolution but suggested that the Legislative Reference Bureau be assigned to do the study. Testimony was also received from many others, including groups, in support of the resolution.

Your Committee finds from the testimony presented that there is broad general support in the community for this resolution. The testifiers strongly believe that a study to examine different forms of local government for Molokai is needed.

While in agreement with the intent of H.R. No. 271 to provide for a study, your Committee believes that this study should be conducted by the House Intergovernmental Relations Committee. Your Committee has therefore amended the resolution to provide for the Intergovernmental Relations Committee to conduct the study.

Your Committee on Intergovernmental Relations concurs with the intent and purpose of H.R. No. 271, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 271, H.D. 1.

Signed by all members of the Committee.

SCRep. 1289 Intergovernmental Relations on H.C.R. No. 157

The purpose of this concurrent resolution, as received by your Committee, is to request the Department of Planning and Economic Development, in conjunction with community members and groups, to conduct a study to identify a form of local government for Molokai that will be consistent with the needs and resources of the island.

Your Committee received voluminous testimony concerning H.C.R. No. 157. The State Department of Planning and Economic Development testified that they had no objection to the resolution but suggested that the Legislative Reference Bureau be assigned to do the study. Testimony was also received from many others, including groups, in support of the concurrent resolution.

Your Committee finds from the testimony presented that there is broad general support in the community for this concurrent resolution. The testifiers strongly believe that a study to examine different forms of local government for Molokai is needed.

While in agreement with the intent of H.C.R. No. 157 to provide for a study, your Committee believes that this study should be conducted by the House Committee on Intergovernmental Relations and the Senate Committee on Government Operations. Your Committee has therefore amended H.C.R. No. 157 to provide for the House Committee on Intergovernmental Relations and the Senate Committee on Government Operations to conduct the study.

Your Committee on Intergovernmental Relations concurs with the intent and purpose of H.C.R. No. 157, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 157, H.D. 1.

Signed by all members of the Committee.

SCRep. 1290 Education on H.R. No. 161

The purpose of this resolution is to urge the Governor to declare the week of November 1-6, as Business-Education Week to recognize the outstanding success of the business-education partnership program, and that the Department of Education convene an annual meeting between education and private industry officials to provide an opportunity to work together to develop, maintain, implement, and improve the business-education partnership program in this country.

Your Committee finds that business-education partnerships have been of great

benefit to our public schools in that they foster understanding of public education, improve school programs and curricula, and create a climate of involvement and interaction between businesses and schools.

Your Committee on Education concurs with the intent and purpose of H.R. No. 161 and recommends its adoption.

Signed by all members of the Committee except Representative Hashimoto.

SCRep. 1291 Human Services on H.R. No. 166

The purpose of this resolution is to request a report on a comprehensive plan of service for handicapped individuals.

Your Committee is very concerned with services provided to handicapped individuals. Several State agencies are responsible for providing assistance to those who are handicapped. Often, lines of responsibility are not clear for the agencies, affected individuals, or their families.

Your Committee received testimony in favor of this resolution from the Departments of Education, Labor and Industrial Relations, and Social Services and Housing, and the Commission on the Handicapped. Several of the testifiers noted that the resolution, as drafted, is extremely broad by asking for a comprehensive plan to be completed during the interim without the provision of additional resources.

Recognizing this, your Committee has amended the title and body of the resolution to specify that transitional stages in services be studied. Your Committee notes that handicapped individuals leave the responsibility of the Department of Education at age 20 and are often confused about where to go next. The resolution reflects the intent of your Committee to ensure that interagency collaboration occurs in order to meet the needs of all handicapped individuals.

Your Committee has also amended the resolution by requesting that the Governor appoint the interim committee which will include the Directors of the Departments of Health, Social Services and Housing, Labor and Industrial Relations and Personnel Services, or their designated representatives, the Chairperson of the Commission on the Handicapped, the Superintendent of Education or the Superintendent's designated representative, and any other agency or organization as the Governor sees fit.

Your Committee on Human Services concurs with the intent and purpose of H.R. No. 166, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 166, H.D. 1.

Signed by all members of the Committee.

SCRep. 1292 Human Services on H.C.R. No. 96

The purpose of this concurrent resolution is to request a report on a comprehensive plan of service for handicapped individuals.

Your Committee is very concerned with services provided to handicapped individuals. Several State agencies are responsible for providing assistance to those who are handicapped. Often, lines of responsibility are not clear for the agencies, affected individuals, or their families.

Your Committee received testimony in favor of this concurrent resolution from the Departments of Education, Labor and Industrial Relations, and Social Services and Housing, and the Commission on the Handicapped. Several of the testifiers noted that the concurrent resolution, as drafted, is extremely broad by asking for a comprehensive plan to be completed during the interim without the provision of additional resources.

Recognizing this, your Committee has amended the title and body of the concurrent resolution to specify that transitional stages in services be studied. Your Committee notes that handicapped individuals leave the responsibility of the Department of Education at age 20 and are often confused about where to go next. The concurrent resolution reflects the intent of your Committee to ensure

that interagency collaboration occurs in order to meet the needs of all handicapped individuals.

Your Committee has also amended the concurrent resolution by requesting that the Governor appoint the interim committee which will include the Directors of the Departments of Health, Social Services and Housing, Labor and Industrial Relations and Personnel Services, or their designated representatives, the Chairperson of the Commission on the Handicapped, the Superintendent of Education or the Superintendent's designated representative, and any other agency or organization as the Governor sees fit.

Your Committee on Human Services concurs with the intent and purpose of H.C.R. No. 96, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 96, H.D. 1.

Signed by all members of the Committee.

SCRep. 1293 Health on H.R. No. 194

The amendments to the Safe Drinking Water Act of 1986 will require the U.S. Environmental Protection Agency (EPA) to develop regulations within two years to require all public water supplies to be disinfected. The purpose of this resolution is to request that this across-the-board requirement be waived for those water systems which do not need to be continuously disinfected.

Your Committee received testimony in support of this resolution from the Department of Health. It was pointed out that potential microbiological contamination of the State's water supplies is closely monitored and that the disinfection of several water supplies serving the majority of the population in Hawaii is not necessary.

Your Committee believes that it is appropriate to request the U.S. E.P.A. to consider waiver provisions in the proposed regulations in order to allow for those areas not in need of disinfection. In addition, this resolution requests that should this disinfection be required, funding and technical assistance should also be provided to the affected areas.

Your Committee on Health concurs with the intent and purpose of H.R. No. 194, and recommends its adoption.

Signed by all members of the Committee except Representatives Metcalf, Shito and Cavasso.

SCRep. 1294 Health on H.R. No. 156

The purpose of this resolution is to request that the Department of Health review their current policies and programs for the Hansen's Disease patients on Molokai and investigate other ways in which the quality of life for these individuals might be improved. Special emphasis should be given to a review of the patient employee and pension benefits.

The current resident patient registry at Kalaupapa is about 100 individuals, with an average age of 65. Most of these people have been on Molokai since the 1920's and 30's. The Department of Health is responsible for the health care and services to these people.

Your Committee received testimony from the Department of Health and the Office of Hawaiian Affairs (OHA) in support of this resolution. The Department, during discussion, gave examples of some of the ways in which they were addressing the adequacy of the current standards of living at the peninsula. These included the availability of entertainment, regular visits by social workers, the availability of counseling services and others. They agreed that a needs assessment to review the benefits and allowances now in place is desirable. The representative from OHA expressed that they are keenly interested in the comfort and well-being of the patients as well as the future use and disposition of the lands at Kalaupapa. They also recommended a set of other organizations to be included in the transmittal of the resolution.

Your Committee has amended the resolution to include the National Park Service, Kalaupapa Patient's Council, the Hawaii Council of Churches, the Society of

Friends and the Hawaii Government Employees Association.

Your Committee on Health concurs with the intent and purpose of H.R. No. 156, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 156, H.D. 1.

Signed by all members of the Committee except Representative Cavasso.

SCRep. 1295 Health and Planning, Energy and Environmental Protection on
H.R. No. 193

The purpose of this resolution is to request that the Department of Health establish a task force to plan a strategy for the appropriate monitoring of research and development activities and to assess their capability of staff and facilities to monitor the unintentional and deliberate release of genetically modified organisms. In addition, it requests that the Department of Health should develop lines of authority and procedures should an accident occur and submit a copy of its report to the Legislature twenty days prior to the convening of the Regular Session of 1988.

Your Committees received testimony in support of this resolution from the Department of Agriculture, the Department of Health, the Sierra Club, and the University of Hawaii. There was no testimony against the resolution.

Specifically, the Department of Agriculture suggested that it would be more appropriate for the Department of Health to conduct a study to review the current status of biotechnological research and development in Hawaii, to propose amendments to appropriate statutes and to assess DOH's capability in monitoring these activities. The Department of Health stated that it has no authority in this area and supports the concept of a task force appointed by the Director of Health. The University of Hawaii stated that the release of organisms that could adversely impact the environment is of concern and should be closely controlled, and the testimony proposed a broader approach which concentrates on the prevention of escape of all potentially harmful organisms. The Sierra Club testimony made the link between the release of genetically modified organisms and possible disastrous effects on the environment.

Your Committees find the lack of functioning Institutional Biosafety Committees (IBCs), the lack of capabilities within the Department of Health, and the lack of guidelines specific to private and State funded research and development all reinforce the need for a task force and subsequent strategy.

Your Committees have made the following changes to the resolution:

(1) The concept of the task force was expanded to include other agencies and relevant institutions, and that copies of the resolution be transmitted accordingly.

(2) That the task force considers not only the capabilities to monitor activities (both deliberate or unintentional), but also to prevent the unintentional release of genetically modified organisms.

(3) Certain typographic, and other nonsubstantive changes were also made.

Your Committees on Health and Planning, Energy and Environmental Protection concur with the intent and purpose of H.R. No. 193, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 193, H.D. 1.

Signed by all members of the Committees except Representative Bunda.

SCRep. 1296 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 277

The purpose of this resolution is to request the Department of Planning and Economic Development to study the feasibility of the production and consumption of ethanol in Hawaii.

Your Committee received testimony pointing out that ethanol is a clean burning fuel and to the extent we can use ethanol as a substitute fuel for gasoline we can reduce our dependence on foreign oil, create a market for sugar cane and reduce

air pollution from vehicular exhaust.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 277, as amended, and recommends its adoption.

Signed by all members of the Committee except Representative Pfeil.

SCRep. 1297 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 180 (Majority)

The purpose of this resolution is to authorize the disposition of water by the Board of Land and Natural Resources for generation of hydro-electric power on the lower Wailua River.

Your Committee finds that what is needed is authorization of a water license and not an easement. Therefore, your Committee has amended the resolution by removing the metes and bounds description of the easement, by removing references to the easement, and by substituting the term "water rights" where appropriate. This Committee has also added wording to be sure the resolution is understood to apply to the Lower Wailua Hydroelectric project only.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the purpose and intent of H.C.R. No. 180, as amended, and recommends its adoption in the form attached hereto as H.C.R. No. 180, H.D. 1.

Signed by all members of the Committee except Representative Say.
(Representative Isbell did not concur.)

SCRep. 1298 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 236

The purpose of this resolution is to request the Department of Land and Natural Resources to enter into a land exchange with the Richard Smart Trust to benefit Waimea School.

Your Committee finds that the Department of Education has requested that a land exchange with the Richard Smart Trust for 12 acres adjacent to the Waimea School would permit future needed expansion of the Waimea School campus. Further, your Committee finds an additional five acres can be exchanged to permit expansion of the Kamuela Vacuum-Cooling Plant. Both these exchanges will benefit the state by enabling important and necessary expansion of state facilities and will benefit the Richard Smart Trust by helping it consolidate its property for more efficient management. Testimony for the Richard Smart Trust stated, "The total land areas involved in the exchange are approximately equal...and are both zoned agriculture."

Your Committee has amended the resolution to remove the stipulation that no cash payments would be required because, while the exchange values are approximately equal, the Committee does not want to restrict the negotiations in any way. The Department of Education has been included in the list of organizations to receive this resolution. Other non-substantive amendments have been made.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 236, as amended, and recommends its adoption in the form attached hereto as H.R. No. 236, H.D. 1.

Signed by all members of the Committee except Representative Say.

SCRep. 1299 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 135

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources to enter into a land exchange with the Richard Smart Trust to benefit Waimea School.

Your Committee finds that the Department of Education has requested that a land exchange with the Richard Smart Trust for 12 acres adjacent to the Waimea

School would permit future needed expansion of the Waimea School campus. Further, your Committee finds an additional five acres can be exchanged to permit expansion of the Kamuela Vacuum-Cooling Plant. Both these exchanges will benefit the state by enabling important and necessary expansion of state facilities and will benefit the Richard Smart Trust by helping it consolidate its property for more efficient management. Testimony for the Richard Smart Trust stated, "The total land areas involved in the exchange are approximately equal...and are both zoned agriculture."

Your Committee has amended the concurrent resolution to remove the stipulation that no cash payments would be required because, while the exchange values are approximately equal, the Committee does not want to restrict the negotiations in any way. The Department of Education has been included in the list of organizations to receive this concurrent resolution. Other non-substantive amendments have been made.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 135, as amended, and recommends its adoption in the form attached hereto as H.C.R. No. 135, H.D. 1.

Signed by all members of the Committee except Representative Say.

SCRep. 1300 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 320

The purpose of this resolution is to study the legal and economic requirements necessary to establish an exchange dealing in stocks, futures, options and commodities, determine what organizations might utilize an exchange and recommend the factors which should be emphasized to make the exchange most attractive.

Your Committee received testimony favoring this resolution and pointing out Hawaii's advantages of excellent communications facilities and favorable time zones for both Asia and the United States mainland.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 320 and recommends its adoption.

Signed by all members of the Committee except Representative Say.

SCRep. 1301 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 194

The purpose of this concurrent resolution is to study the legal and economic requirements necessary to establish an exchange dealing in stocks, futures, options and commodities, determine what organizations might utilize an exchange and recommend the factors which should be emphasized to make the exchange most attractive.

Your Committee received testimony favoring this concurrent resolution and pointing out Hawaii's advantages of excellent communications facilities and favorable time zones for both Asia and the United States mainland.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 194 and recommends its adoption.

Signed by all members of the Committee except Representative Say.

SCRep. 1302 Education on H.R. No. 222

The purpose of this resolution is to have the Department of Education consider the construction of a permanent sixteen classroom building at Kaimiloa Elementary School.

The Department of Education, the Parent Teacher Organization of Kaimiloa School, and the school's principal testified in favor of the need for construction of a permanent classroom structure to house the expanding enrollment at Kaimiloa Elementary School. The school has over forty-five percent of its students in portable classrooms, while other schools in the area have zero to less than twenty

percent of their students in portables.

Problems that graphically describe conditions which are intolerable for a good learning environment include: vandalism with sixty-one break-ins and eleven maliciously set fires since 1972, hot classrooms, and noise caused by aircraft approaching the busy Honolulu International Airport and Hickam Air Force Base corridor over the school.

The Department has experienced chronic financial losses due to arson and vandalism of the portables because the portables are more difficult to safeguard than the permanent building.

The Department of Education concurred with the intent of this resolution and will request the funding for the sixteen permanent classrooms in the fiscal biennium 1989-1991 budget within the priority guidelines.

Your Committee finds there is a need for the sixteen classroom building and requests that the Department of Education reconsider its priority for this project.

Your Committee on Education concurs with the intent and purpose of H.R. No. 222, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 222, H.D. 1.

Signed by all members of the Committee except Representatives Say, Taniguchi and Tom.

SCRep. 1303 Education on H.R. No. 235

The purpose of this resolution is to request the Board of Education and the Department of Education to take steps to lower class size and to include negotiations for class size reduction in collective bargaining.

Testimony was received by the Department of Education objecting to the inclusion of class size reduction in collective bargaining. The Hawaii State Teachers Association testified in favor of this resolution and suggested that your Committee on Education gather input from the public and educators on long-range plans to reduce class size.

The title and the language of this resolution have been amended to request interim hearings by your Committee on class size reduction. These hearings will focus on alternative methods of reducing class size and the estimated costs of resources to accomplish this purpose.

Your Committee on Education concurs with the intent and purpose of H.R. 235, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 235, H.D. 1.

Signed by all members of the Committee except Representatives Say and Tom.

SCRep. 1304 Education on H.C.R. No. 128

The purpose of this concurrent resolution is to have the Department of Education consider the construction of a permanent sixteen classroom building at Kaimiloa Elementary School.

The Department of Education, the Parent Teacher Organization of Kaimiloa School, and the school's principal testified in favor of the need for construction of a permanent classroom structure to house the expanding enrollment at Kaimiloa Elementary School. The school has over forty-five percent of its students in portable classrooms, while other schools in the area have zero to less than twenty percent of their students in portables.

Problems that graphically describe conditions which are intolerable for a good learning environment include: vandalism with sixty-one break-ins and eleven maliciously set fires since 1972, hot classrooms, and noise caused by aircraft approaching the busy Honolulu International Airport and Hickam Air Force Base corridor over the school.

The Department has experienced chronic financial losses due to arson and vandalism of the portables because the portables are more difficult to safeguard than the permanent building.

The Department of Education concurred with the intent of this concurrent resolution and will request the funding for the sixteen permanent classrooms in the fiscal biennium 1989-1991 budget within the priority guidelines.

Your Committee finds there is a need for the sixteen classroom building and requests that the Department of Education reconsider its priority for this project.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 128, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 128, H.D. 1.

Signed by all members of the Committee except Representatives Say and Tom.

SCRep. 1305 Human Services on H.C.R. No. 184

The purpose of this concurrent resolution is to request the Legislative Auditor to examine the 1987 Department of Social Services and Housing (DSSH) report on the adequacy of the welfare allowance, conduct a comprehensive analysis of the need standard and its fiscal implications, and recommend alternative ways of implementing changes.

Your Committee heard testimony in support of this concurrent resolution indicating that present basic needs and shelter allowance welfare benefits, which have not been increased since 1978 and 1975, respectively, are well below the poverty level. These benefits are often not meeting the actual needs of recipients, especially in light of the rise in the cost of living since the last increases. Your Committee agrees that a comprehensive study of the adequacy of welfare benefits by an independent agency is needed to supplement the DSSH study.

Your Committee on Human Services concurs with the intent and purpose of H.C.R. No. 184 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives M. Ige and Peters.

SCRep. 1306 Labor and Public Employment on S.B. No. 1745

The purpose of this bill is to change the date on which the Department of Labor and Industrial Relations must increase or decrease its workers' compensation medical fee schedule.

Existing law provides that these adjustments are to be based on increases or decreases in the Consumer Price Index (CPI) for the Honolulu region as prepared by the Bureau of Labor Statistics of the United States Department of Labor.

In January 1987, the United States Department of Labor changed the method of computing the CPI by adjusting it semiannually instead of bimonthly. This bill will bring the State's adjustments into conformance with the new federal method of computing the index.

Your Committee on Labor and Public Employment is in accord with the intent and purpose of S.B. No. 1745 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1307 Judiciary on S.B. No. 791

The purpose of this bill is to bring the statute on appeals in criminal cases into conformity with current practice by changing the word "information" to the word "complaint."

Your Committee heard testimony in support of this bill from the Department of the Prosecuting Attorney of the City and County of Honolulu. Since the Hawaii Rules of Penal Procedure use the term "complaint" and criminal charges are no longer brought by way of information, this change was necessary.

Your Committee on Judiciary is in accord with the intent and purpose of S.B. No. 791 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1308 Consumer Protection and Commerce on S.B. No. 1287

The purpose of this bill as received by this Committee is to increase from \$5,000 to \$20,000, the amount a bank may loan to its officers, directors, agents or employees without the approval of the bank's Board of Directors.

Your Committee received favorable testimonies from the Department of Commerce and Consumer Affairs and the Hawaii Bankers Association.

The present amount of \$5,000 was set by statute in 1972. Increasing the amount to \$20,000 will result in reducing the workload of bank directors in dealing with loans that can be safely processed at a lower level of bank management. Also, this amount, while still below Regulation O of the Board of Governors of the Federal Reserve System, will make the State requirement more compatible with the federal requirement.

Your Committee on Consumer Protection and Commerce is in accord with the intent and purpose of S.B. No. 1287, S.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1309 Consumer Protection and Commerce on S.B. No. 1112

The purpose of this bill, as received by your Committee, is to require individual and group health insurance policies and individual and group hospital or medical service contracts, which provide pregnancy-related benefits to allow a one-time only benefit for all one-patient expenses arising from in vitro fertilization procedures performed on the insured or the insured's dependent spouse.

Your Committee has received testimony from the Department of Commerce and Consumer Affairs, the Department of Health, the Legislative Information Services of Hawaii, the Pacific In Vitro Fertilization Institute, the John A. Burns School of Medicine, the University of Hawaii, the Hawaii Medical Association, and the Hawaii Medical Service Association.

Your Committee finds that infertility is a significant problem for many people in Hawaii, and that this bill will encourage appropriate medical care. Additionally, this bill limits insurance coverage to a one-time only benefit, thereby limiting costs to the insurers. This bill will be a significant benefit to those married couples who have in vitro fertilization as their only hope for allowing pregnancy.

Your Committee on Consumer Protection and Commerce is in accord with the intent and purpose of S.B. No. 1112 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Yoshimura and Jones.

SCRep. 1310 Consumer Protection and Commerce and Judiciary on S.B. No. 449

The purpose of this bill, as received by your Committees, is to: (1) delete the statutory provision which allows an applicant for an optometry license to retake a second or third examination of those parts the applicant has failed to pass; (2) allow a person who has been denied or refused a license to request a contested case hearing; and (3) allow an aggrieved applicant to take an appeal to the

circuit court from a final decision of the Board of Examiners of Optometry (Board).

Your Committees have received testimony from the Board and the Hawaii Optometric Association in favor of this bill.

Your Committees have learned that a new written examination from the National Board of Examiners (NBOE) is being administered as of January 1, 1987. Moreover, this examination is administered and graded by the NBOE, and the grades are subsequently ratified by the Board. Since the NBOE provides for reexamination, the statutory provisions allowing an applicant to retake examinations is unnecessary.

Your Committees on Consumer Protection and Commerce and Judiciary are in accord with the intent and purpose of S.B. No. 449 and recommend that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committees.

SCRep. 1311 Consumer Protection and Commerce on S.B. No. 1286

The purpose of this bill is to increase the amount of loans which must be reported at a bank's Board of Directors meeting from \$100,000 to \$500,000.

Current law requires that a detailed report showing every loan and investment which exceeds in amount one-half of one percent of the capital and surplus of a bank or \$100,000, whichever is lesser, at the bank's Board of Directors meeting.

Your Committee has received testimony in support of the bill from the Commissioner of Financial Institutions and the Hawaii Bankers Association.

Your Committee finds that the present amount was set nine years ago and does not reflect the effects of inflation.

Your Committee on Consumer Protection and Commerce is in accord with the intent and purpose of S.B. No. 1256, S.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1312 Finance on S.B. No. 1483

The purpose of this bill is to establish a public schools student foundation within the Department of Education which will provide supporters of the public school system with an accessible, legally established mechanism to attract support and contributions to assist students in, and improve the quality of, the public school system.

This bill will enhance the public school system by encouraging the active involvement of community leaders, volunteers, businesses, and other groups in supporting and improving the public school program in Hawaii.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 1483, S.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1313 Ocean and Marine Resources on H.R. No. 211

The purpose of this resolution is to urge the designation of the University of Hawaii's Sea Grant College Program as an Institute.

Your Committee finds that designating the Sea Grant College Program an Institute would facilitate the achievement of its functions: research, education, and providing extension programs to foster the wise use, development and protection of Hawaii's ocean resources.

Your Committee further finds that an Institute designation would boost the program's national reputation and reaffirm the State's commitment to marine programs.

The University of Hawaii testified in favor of this resolution as it is in line with the University's Strategic Plan, which designates marine programs as a major area for emphasis and for the achievement of excellence.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.R. No. 211 and recommends that it be referred to the Committee on Higher Education.

Signed by all members of the Committee.

SCRep. 1314 Ocean and Marine Resources on H.C.R. No. 120

The purpose of this concurrent resolution is to urge the designation of the University of Hawaii's Sea Grant College Program as an Institute.

Your Committee finds that designating the Sea Grant College Program an Institute would facilitate the achievement of its functions: research, education, and providing extension programs to foster the wise use, development and protection of Hawaii's ocean resources.

Your Committee further finds that an Institute designation would boost the program's national reputation and reaffirm the State's commitment to marine programs.

The University of Hawaii testified in favor of this concurrent resolution as it is in line with the University's Strategic Plan, which designates marine programs as a major area for emphasis and for the achievement of excellence.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.C.R. No. 120 and recommends that it be referred to the Committee on Higher Education.

Signed by all members of the Committee.

SCRep. 1315 Housing and Community Development on H.C.R. No. 272

The purpose of this concurrent resolution is to request that the Legislative Auditor review Section 46-4(c), Hawaii Revised Statutes, popularly known as the "Ohana Zoning" law, to determine:

- (1) Whether the statute's purpose is being achieved by the laws;
- (2) What, if any, negative impacts have been generated by the law, including administrative and planning difficulties; and
- (3) Whether any legislative amendments are appropriate in light of the concerns raised by the counties.

Your Committee finds that the "ohana zoning" law mandates that a county could not prohibit the construction of two single-family dwellings on any lot where a residential dwelling is permitted, providing certain requirements are met. The "ohana zoning" law was enacted to assist families in obtaining individual living quarters, and designed to make optimal use of scarce land resources, provide an immediate and relatively inexpensive means of increasing the supply of affordable housing, and encourage the maintenance of the extended family lifestyle.

Your Committee concurs with the original intent of the law, but recognizes that there may be situations where the counties need additional flexibility to meet the unique needs and concerns of local communities.

Your Committee further finds that since its enactment in 1981 the "ohana zoning" law has been in existence for approximately five years. Thus, a state-wide review appears to be timely.

Your Committee on Housing and Community Development concurs with the intent

and purpose of H.C.R. No. 272 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee.

SCRep. 1316 Housing and Community Development on H.R. No. 331

The purpose of this resolution is to request the Legislative Auditor to conduct an audit of the Hawaii Housing Authority to determine if it is accomplishing the purposes for which it was established.

Your Committee received testimony from the Hawaiian Civic Political Action Committee indicating their concern about the State's efforts in addressing Hawaii's housing needs, and their belief that an audit of the Hawaii Housing Authority is a first step towards assessing the housing shortage. Your Committee also received testimony from the Hawaii Housing Authority. The Hawaii Housing Authority testified that it has been financially audited by an independent accounting firm since 1975. However, it will cooperate fully with and will assist the Legislative Auditor in any audit.

Your Committee on Housing and Community Development concurs with the intent and purpose of H.R. No. 331, and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee.

SCRep. 1317 Housing and Community Development on H.C.R. No. 257

The purpose of this concurrent resolution is to request the Legislative Auditor to conduct an audit of the Hawaii Housing Authority to determine if it is accomplishing the purposes for which it was established.

Your Committee received testimony from the Hawaiian Civic Political Action Committee indicating their concern about the State's efforts in addressing Hawaii's housing needs, and their belief that an audit of the Hawaii Housing Authority is a first step towards assessing the housing shortage. Your Committee also received testimony from the Hawaii Housing Authority. The Hawaii Housing Authority testified that it has been financially audited by an independent accounting firm since 1975. However, it will cooperate fully with and will assist the Legislative Auditor in any audit.

Your Committee on Housing and Community Development concurs with the intent and purpose of H.C.R. No. 257, and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee.

SCRep. 1318 Health on H.C.R. No. 129

The purpose of this concurrent resolution is to request the Legislative Auditor to conduct a fiscal and management audit of the Mental Health Division of the State Department of Health.

Recent studies and reports have placed Hawaii very low in comparison to others states' activities involving services for the seriously mentally ill. This is a complex problem which involves both the private and public sectors and a wide variety of treatment modalities and philosophies. Efforts are currently underway to remedy some of the problems associated with the Hawaii State Hospital and the current policy of the State to work towards deinstitutionalization where possible. Yet, much more needs to be done to review and improve the process of monitoring State purchase-of-service agreements, assessing reimbursement methods, review the gaps in services and many other issues.

Your Committee received testimony in support for this concurrent resolution from the Department of Health, the Mental Health Association of Hawaii, and other private organizations. There were also many suggested additions to the possible areas of study of the proposed audit from these testimonies.

Your Committee has amended the concurrent resolution by refocusing and expanding the list of topics which the audit will review. This list now includes, among others, a review of the appropriate reimbursement rates for services, the monitoring of purchase-of-service agreements, an assessment of which present and future services might be best provided through the private sector, the feasibility of a mobile crisis unit, and a review of the budget structure by categories of services.

Your Committee on Health concurs with the intent and purpose of H.C.R. No. 129, as amended herein, and recommends that it be referred to the Committee on Legislative Management, in the form attached hereto as H.C.R. No. 129, H.D. 1.

Signed by all members of the Committee.

SCRep. 1319 Health on H.R. No. 198

The purpose of this resolution is to address concerns regarding the high cost of health care and the financial ruin that catastrophic illness can impose on uninsured individuals. This resolution urges the United States Congress to establish a comprehensive national health insurance program.

Currently, there is no national program which provides adequate coverage for catastrophic illness. With the cost of health care mounting at an alarming rate very few individuals are able to afford the costs of catastrophic illness even with the assistance of insurance. Your Committee feels a comprehensive and affordable national health insurance program is long overdue.

Your Committee received testimony in strong support of this resolution from the Department of Health, Department of Social Services and Housing, private physicians and other concerned individuals. A recommendation was made to focus the resolution to include specific critical areas of concern.

Your Committee has amended the resolution to include the three critical areas of AIDS care, care for the gap group indigent, and long-term care for the elderly. In addition, the Secretary of the United States Department of Health and Human Services is now also included among those receiving copies of the resolution.

Your Committee on Health concurs with the intent and purpose of H.R. No. 198, as amended herein, and recommends that it be referred to the Committee on Consumer Protection and Commerce, in the form attached hereto as H.R. No. 198, H.D. 1.

Signed by all members of the Committee.

SCRep. 1320 Health on H.C.R. No. 115

The purpose of this concurrent resolution is to address concerns regarding the high cost of health care and the financial ruin that catastrophic illness can impose on uninsured individuals. This concurrent resolution urges the United States Congress to establish a comprehensive national health insurance program.

Currently, there is no national program which provides adequate coverage for catastrophic illness. With the cost of health care mounting at an alarming rate very few individuals are able to afford the costs of catastrophic illness even with the assistance of insurance. Your Committee feels a comprehensive and affordable national health insurance program is long overdue.

Your Committee received testimony in strong support of this concurrent resolution from the Department of Health, Department of Social Services and Housing, private physicians and other concerned individuals. A recommendation was made to focus the concurrent resolution to include specific critical areas of concern.

Your Committee has amended the concurrent resolution to include the three critical areas of AIDS care, care for the gap group indigent, and long-term care for the elderly. In addition, the Secretary of the United States Department of Health and Human Services is now also included among those receiving copies of the concurrent resolution.

Your Committee on Health concurs with the intent and purpose of H.C.R. No.

115, as amended herein, and recommends that it be referred to the Committee on Consumer Protection and Commerce, in the form attached hereto as H.C.R. No. 115, H.D. 1.

Signed by all members of the Committee.

SCRep. 1321 Human Services on H.R. No. 78

The purpose of this resolution is to request the State Coordinating Council on Deafness to conduct a study of how to best provide telecommunication device for the deaf (TDD) relay services to meet the needs of the deaf community, to include an examination of personnel, equipment, new technology, and budgetary requirements, and the recommended allocation of these requirements between pertinent public and private agencies. In addition, this resolution provides that the Council submit a report of its findings and recommendations to the Legislature at least twenty days prior to the convening of the 1988 Regular Session.

Your Committee heard testimony in support of this resolution indicating that the Hawaii Services on Deafness has had a TDD relay service since the end of 1981. The tremendous increase in TDD relay calls handled by this organization over the years attests to the fact that deaf people, if given the opportunity to make such calls with hearing people, want and will use that service.

Your Committee agrees that the current level of use of existing TDD relay services by persons with hearing impairment is far below its potential and that before the need for such services expands more, it would be prudent to study the best way of handling these services in an efficient, effective, and economical manner. Your Committee finds that the State Coordinating Council on Deafness is uniquely suited to conduct such a study since most of the agencies dealing with the hearing impaired belong to this organization.

Your Committee on Human Services concurs with the intent and purpose of H.R. No. 78, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1322 Human Services on H.C.R. No. 45

The purpose of this concurrent resolution is to request the State Coordinating Council on Deafness to conduct a study of how to best provide telecommunication device for the deaf (TDD) relay services to meet the needs of the deaf community, to include an examination of personnel, equipment, new technology, and budgetary requirements, and the recommended allocation of these requirements between pertinent public and private agencies. In addition, this concurrent resolution provides that the Council submit a report of its findings and recommendations to the Legislature at least twenty days prior to the convening of the 1988 Regular Session.

Your Committee heard testimony in support of this concurrent resolution indicating that the Hawaii Services on Deafness has had a TDD relay service since the end of 1981. The tremendous increase in TDD relay calls handled by this organization over the years attests to the fact that deaf people, if given the opportunity to make such calls with hearing people, want and will use that service.

Your Committee agrees that the current level of use of existing TDD relay services by persons with hearing impairment is far below its potential and that before the need for such services expands more, it would be prudent to study the best way of handling these services in an efficient, effective, and economical manner. Your Committee finds that the State Coordinating Council on Deafness is uniquely suited to conduct such a study since most of the agencies dealing with the hearing impaired belong to this organization.

Your Committee on Human Services concurs with the intent and purpose of H.C.R. No. 45, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1323 Human Services on H.R. No. 306

The purpose of this resolution is to request the Department of Social Services and Housing (DSSH) to conduct a study of the feasibility of two different reorganizational proposals in the Public Welfare Division to serve the Big Island of Hawaii: one establishing separate branches for East Hawaii and West Hawaii and the other establishing separate social services sections for East Hawaii and West Hawaii.

In addition, this resolution provides that the study identify the effects of the proposed reorganizations on the efficiency, effectiveness, and morale of employees, and necessary costs which may occur, and that the study, with a recommendation on action to be taken, be submitted to the Legislature prior to the convening of the Regular Session of 1988.

Your Committee heard testimony in support of this resolution. Your Committee finds that the current administrative organization, under which West Hawaii is supervised by an East Hawaii base 120 miles away, has resulted in problems of administrative inaccessibility and inattention. In particular, this lack of attention and support, coupled with insufficient staffing, equipment and resources, has contributed to low employee morale, high stress levels from overwork, and high turnover of child protective services (CPS) workers. As a result, the critical CPS needs of the rapidly growing West Hawaii region are not being met, and in fact, there have been three deaths in West Hawaii due to child abuse and neglect in open CPS cases since 1982.

Your Committee agrees that the study requested by this resolution is needed in order to address the problems in the delivery of social services in West Hawaii and assess the effects of the proposed reorganizations.

Your Committee has adopted the recommendation of the DSSH by making wording changes to the fifth "WHEREAS" clause of the resolution.

Your Committee on Human Services concurs with the intent and purpose of H.R. No. 306, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 306, H.D. 1.

Signed by all members of the Committee except Representatives M. Ige and Peters.

SCRep. 1324 Human Services on H.C.R. No. 185

The purpose of this concurrent resolution is to request the Department of Social Services and Housing (DSSH) to conduct a study of the feasibility of two different reorganizational proposals in the Public Welfare Division to serve the Big Island of Hawaii: one establishing separate branches for East Hawaii and West Hawaii and the other establishing separate social services sections for East Hawaii and West Hawaii.

In addition, this concurrent resolution provides that the study identify the effects of the proposed reorganizations on the efficiency, effectiveness, and morale of employees, and necessary costs which may occur, and that the study, with a recommendation on action to be taken, be submitted to the Legislature prior to the convening of the Regular Session of 1988.

Your Committee heard testimony in support of this concurrent resolution. Your Committee finds that the current administrative organization, under which West Hawaii is supervised by an East Hawaii base 120 miles away, has resulted in problems of administrative inaccessibility and inattention. In particular, this lack of attention and support, coupled with insufficient staffing, equipment and resources, has contributed to low employee morale, high stress levels from overwork, and high turnover of child protective services (CPS) workers. As a result, the critical CPS needs of the rapidly growing West Hawaii region are not being met, and in fact, there have been three deaths in West Hawaii due to child abuse and neglect in open CPS cases since 1982.

Your Committee agrees that the study requested by this concurrent resolution is needed in order to address the problems in the delivery of social services in West Hawaii and assess the effects of the proposed reorganizations.

Your Committee has adopted the recommendation of the DSSH by making wording changes to the fifth "WHEREAS" clause of the concurrent resolution.

Your Committee on Human Services concurs with the intent and purpose of H.C.R. No 185, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 185, H.D. 1.

Signed by all members of the Committee except Representatives M. Ige and Peters.

SCRep. 1325 Legislative Management on H.C.R. No. 116

The purpose of this concurrent resolution is to review the present Planning, Programming, and Budgeting (PPB) budget system and recommend change, when necessary, to meet contemporary conditions in the Hawaii State Government and to better serve the Legislature's decision making responsibility.

Your Committee has amended this concurrent resolution to include in the areas of study the Legislature's budgetary rules and procedures and the role of the Executive veto powers in the checks and balances of the budget process. Your Committee has also made nonsubstantive amendments for clarity and style.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 116, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 116, H.D. 1.

Signed by all members of the Committee except Representatives Apo and Souki.

SCRep. 1326 Planning, Energy and Environmental Protection on H.R. No.
65

The purpose of this resolution is to request the Department of Planning and Economic Development to review the progress made to date in the area of alternate energy development and to establish a realistic schedule for the future development of alternate energy resources in Hawaii.

Your Committee finds that in spite of the current excess world supply of petroleum, energy experts believe that before long, the world will once again be confronted with a politically induced energy crisis. Inasmuch as Hawaii is almost totally dependent on petroleum as its primary source of energy, the State will be particularly vulnerable to such a crisis. In this regard, increased energy self-sufficiency has been a long standing priority of the State. Despite this priority however, progress in the development of alternate energy resources has not proceeded as rapidly as expected.

Your Committee finds that the State can play a major role in accelerating the pace of energy development in Hawaii and that continuous emphasis should be placed on the achievement of the State's goal of increased energy self-sufficiency. Your Committee finds that a cooperative planning effort on the part of DPED and the agencies and institutions identified in this resolution will bring about the timely and orderly achievement of this goal.

Your Committee on Planning, Energy and Environmental Protection is in accord with the intent and purpose of H.R. No. 65 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1327 Planning, Energy and Environmental Protection on H.C.R.
No. 36

The purpose of this concurrent resolution is to request the Department of Planning and Economic Development to review the progress made to date in the area of alternate energy development and to establish a realistic schedule for the future development of alternate energy resources in Hawaii.

Your Committee finds that in spite of the current excess world supply of petroleum, energy experts believe that before long, the world will once again be

confronted with a politically induced energy crisis. Inasmuch as Hawaii is almost totally dependent on petroleum as its primary source of energy, the State will be particularly vulnerable to such a crisis. In this regard, increased energy self-sufficiency has been a long standing priority of the State. Despite this priority however, progress in the development of alternate energy resources has not proceeded as rapidly as expected.

Your Committee finds that the State can play a major role in accelerating the pace of energy development in Hawaii and that continuous emphasis should be placed on the achievement of the State's goal of increased energy self-sufficiency. Your Committee finds that a cooperative planning effort on the part of DPED and the agencies and institutions identified in this resolution will bring about the timely and orderly achievement of this goal.

Your Committee on Planning, Energy and Environmental Protection is in accord with the intent and purpose of H.C.R. No. 36 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1328 Ocean and Marine Resources on H.C.R. No. 92

The purpose of this concurrent resolution is to request Hawaii's congressional delegation to support the restoration of federal funds that are to be cut from the National Oceanic and Atmospheric Administration (NOAA) budget.

The Department of Planning and Economic Development testified that the proposed cuts would have grievous and lasting impact on Hawaii, taking needed money from, and perhaps eliminating, programs such as the Sea Grant College Program at the University of Hawaii, the Hawaii Undersea Research Laboratory, and the Honolulu Laboratory of the National Marine Fisheries Service.

Your Committee finds that the ocean is a vital and promising resource for Hawaii's future economic development. Your Committee further finds that continued federal support is needed to improve and cultivate Hawaii's reputation as a leader in ocean research.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.C.R. No. 92 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1329 Education and Legislative Management on H.R. No. 96

The purpose of this resolution is to study the feasibility of establishing a school bus program for students attending public and private schools in the Windward and Honolulu school districts.

Testimony in favor of this resolution was received from the Aliamanu-Salt Lake-Foster Village Neighborhood Board, the Oahu Metropolitan Planning Organization, Kaiser Development Company, the City and County of Honolulu Department of Transportation, the Department of Education (Department), and the Department of Transportation. The Department of Accounting and General Services opposed this resolution.

Department of Education testimony expressed concern regarding the inclusion of private schools in the requested study. Your Committees find that providing public funds for transportation of private school students would be a violation of Article X, Section 1 of the Hawaii State Constitution. The Department also indicated that transportation services are already provided for students in the Leeward District, but that Windward and Central district students do not presently receive school bus service.

The resolution has been amended to request a study of the feasibility of establishing a school bus program for public school students in the Windward, Central, and Honolulu districts.

Your Committees on Education and Legislative Management concur with the intent and purpose of H.R. 96, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 96, H.D. 1.

Signed by all members of the Committees except Representative Apo.

SCRep. 1330 Education and Legislative Management on H.C.R. No. 53

The purpose of this concurrent resolution is to study the feasibility of establishing a school bus program for students attending public and private schools in the Windward and Honolulu school districts.

Testimony in favor of this concurrent resolution was received from the Aliamanu-Salt LakeFoster Village Neighborhood Board, the Oahu Metropolitan Planning Organization, Kaiser Development Company, the City and County of Honolulu Department of Transportation, the Department of Education (Department), and the Department of Transportation. The Department of Accounting and General Services opposed this concurrent resolution.

Department of Education testimony expressed concern regarding the inclusion of private schools in the requested study. Your Committees find that providing public funds for transportation of private school students would be a violation of Article X, Section 1 of the Hawaii State Constitution. The Department also indicated that transportation services are already provided for students in the Leeward District, but that Windward and Central district students do not presently receive school bus service.

The concurrent resolution has been amended to request a study of the feasibility of establishing a school bus program for public school students in the Windward, Central, and Honolulu districts.

Your Committees on Education and Legislative Management concur with the intent and purpose of H.C.R. 53, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 53, H.D. 1.

Signed by all members of the Committees except Representative Apo.

SCRep. 1331 Education on H.R. No. 181

The purpose of this resolution is to request that the James Campbell Estate and the Department of Education plan for a Regional Library in the Second Urban Center in the Ewa District of Oahu.

Testimony indicated that the James Campbell Estate is willing to donate approximately eighty acres of lands that they control, for public and agency use. The Estate's offer is based on their present assessment of what might be required for public services, including schools and libraries. In planning for Kapolei, the Second Urban Center, the Campbell Estate believes that a quality educational system would play a major role in the creating the demographics which would lead to a high utilization of a library and other educational facilities.

There was widespread agreement and support in the testimony of the Hawaii Housing Authority of the Department of Social Services and Housing, and the Hawaii State Library System for planning of a library in the Second Urban Center in the Ewa District of Oahu.

Your Committee finds that a regional library can provide a valuable service to any community by making available resources and materials which serve the needs and interests of a wide segment of the community. The regional library also contributes toward the educational, personal, and social growth of members within the community.

Your Committee also finds that the surrounding communities of Ewa Beach and Waipahu are distant enough to warrant consideration for a library for the Second Urban Center.

Your Committee has amended the original resolution to request that the study be done by the Campbell Estate in cooperation with the State Librarian, the Department of Accounting and General Services, and the Board of Education rather than the Department of Education.

Your Committee on Education concurs with the intent and purpose of H.R. 181, as amended herein, and recommends its adoption in the form attached hereto as

H.R. No. 181, H.D. 1.

Signed by all members of the Committee except Representatives Say and Tom.

SCRep. 1332 Health and Higher Education and the Arts on H.R. No. 220

The purpose of this resolution is to respond to the need for trained working nurses in our State. The University of Hawaii currently offers the only four-year, accredited nursing program in Hawaii.

The apparent shortage of working, trained nurses in Hawaii is similar to problems being encountered nationally. The acute care facilities in Hawaii are now forced to recruit "flying nurses" on the mainland. These nurses cost more, create unrest among resident nurses and provide only very short-term solutions to an ever increasing critical dilemma in our State. The University of Hawaii School of Nursing is seen as an important element in the eventual solution to this workforce shortage.

Your Committees received testimony in support of this resolution from the Department of Health, the University of Hawaii - both from Manoa and the Community College System - the Healthcare Association of Hawaii, the Hawaii Nurses Association and from many individual nurses. The common theme among those who presented testimony was that this is a far more complex issue than can be solved by the School of Nursing alone.

Your Committees feel, based on the the testimony presented, that the University System is in a strong position to provide an essential link in the solution to the shortage of nurses in Hawaii. To this end your Committees have reworded the Resolution title to read "Requesting the University of Hawaii report on its strategy to alleviate the shortage of nurses in Hawaii".

Your Committees have also amended the resolution to refocus the intent of the study by the University and to include specific areas of importance for the University to include in its report of findings and strategy.

Your Committees on Health and Higher Education and the Arts concur with the intent and purpose of H.R. No. 220, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 220, H.D. 1.

Signed by all members of the Committees except Representative Peters.

SCRep. 1333 Higher Education and the Arts and Education on H.R. No.
237

This resolution calls for the University of Hawaii and the Department of Education to submit a report on computer resources in their respective educational systems prior to the convening of the Regular Session of 1988.

Your Committee received testimony from representatives of the University of Hawaii and the Department of Education in support of the resolution. The University of Hawaii expressed reservations that some of the items requested were too broad in scope and difficult to obtain. The representative from the DOE concurred with the sentiments expressed by the University. The University of Hawaii suggested in its testimony that the paragraph citing the details for the report be deleted with the assurance that the University would make every effort to address said issues in its report to the Legislature.

Although your Committees understands that there may be problems encountered while trying to obtain the requested data, upon consideration, it was decided not to amend the resolution pursuant to the University's recommendation. Both representatives of the University of Hawaii and the Department of Education concurred with the request of your Committees, to attempt to fulfill all requests set forth in the resolution.

Your Committees on Higher Education and the Arts and Education concur with the intent and purpose of H.R. No. 237, and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1334 Higher Education and the Arts and Education on H.C.R. No.
136

This concurrent resolution calls for the University of Hawaii and the Department of Education to submit a report on computer resources in their respective educational systems prior to the convening of the Regular Session of 1988.

Your Committee received testimony from representatives of the University of Hawaii and the Department of Education in support of the concurrent resolution. The University of Hawaii expressed reservations that some of the items requested were too broad in scope and difficult to obtain. The representative from the DOE concurred with the sentiments expressed by the University. The University of Hawaii suggested in its testimony that the paragraph citing the details for the report be deleted with the assurance that the University would make every effort to address said issues in its report to the Legislature.

Although your Committees understands that there may be problems encountered while trying to obtain the requested data, upon consideration, it was decided not to amend the concurrent resolution pursuant to the University's recommendation. Both representatives of the University of Hawaii and the Department of Education concurred with the request of your Committees, to attempt to fulfill all requests set forth in the concurrent resolution.

Your Committees on Higher Education and the Arts and Education concur with the intent and purpose of H.C.R. No. 136, and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1335 Higher Education and the Arts on H.R. No. 254

The purpose of this resolution is to urge support for the development of agricultural programs in the American Pacific, with special emphasis on securing new and additional resources to address agriculture and human resource development problems unique to the region, and encourage the College of Tropical Agriculture and Human Resources to continue to coordinate any support from the State of Hawaii.

Your Committee received testimony from the University of Hawaii in support of this resolution. The Dean of the College of Tropical Agriculture and Human Resources testified that an agreement has been reached by the directors of the land-grant institutions in the American Pacific, that it would be more efficient to address problems on a regionally coordinated basis and a major infusion of resources would be needed. The acceleration of agricultural research and extension programs is recognized as the highest priority by the directors. The College of Tropical Agriculture and Human Resources is ready to accept the responsibility to coordinate the development of a sound program and the effective use of resources.

Your Committee has amended the last paragraph of this resolution to designate certain key persons to receive certified copies of the resolution rather than the broad listing set forth.

Your Committee made further nonsubstantive amendments to correct grammatical errors.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.R. No. 254, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 254, H.D. 1.

Signed by all members of the Committee.

SCRep. 1336 Higher Education and the Arts on H.C.R. No. 145

The purpose of this concurrent resolution is to urge support for the development of agricultural programs in the American Pacific, with special emphasis on securing new and additional resources to address agriculture and human resource development problems unique to the region, and encourage the College of Tropical Agriculture and Human Resources to continue to coordinate any support from the State of Hawaii.

Your Committee received testimony from the University of Hawaii in support of this concurrent resolution. The Dean of the College of Tropical Agriculture and Human Resources testified that an agreement has been reached by the directors of the land-grant institutions in the American Pacific, that it would be more efficient to address problems on a regionally coordinated basis and a major infusion of resources would be needed. The acceleration of agricultural research and extension programs is recognized as the highest priority by the directors. The College of Tropical Agriculture and Human Resources is ready to accept the responsibility to coordinate the development of a sound program and the effective use of resources.

Your Committee has amended the last paragraph of this concurrent resolution to designate certain key persons to receive certified copies of the concurrent resolution rather than the broad listing set forth.

Your Committee made further nonsubstantive amendments to correct grammatical errors.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.C.R. No. 145, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 145, H.D. 1.

Signed by all members of the Committee.

SCRep. 1337 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 16

The purpose of this resolution is to request the Department of Land and Natural Resources to study the feasibility of establishing a state park at Ka Lae (South Point) on the Island of Hawaii, commemorating the first human landing in Hawaii, and dedicating the park to the great voyagers who discovered Hawaii.

Representatives from the Department of Land and Natural Resources (DLNR), the Department of Hawaiian Home Lands (DHHL), the Office of Hawaiian Affairs (OHA), and the Sierra Club, Hawaii Chapter, presented testimony in favor of this resolution.

Upon further consideration, your Committee has amended the resolution to reflect the concerns of the departments. More specifically, your Committee has:

1. amended a "WHEREAS" clause to acknowledge that a majority of the area at Ka Lae is Hawaiian home lands;

2. amended a "BE IT FURTHER RESOLVED" clause to direct DLNR to work in conjunction with DHHL, OHA, the County of Hawaii, the United States Coast Guard and Hawaiian civic groups.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 16, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 16, H.D. 1

Signed by all members of the Committee.

SCRep. 1338 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 245

The purpose of this resolution is to request the Department of Land and Natural Resources to review the history and present status of 37 trail rights-of-way removed from the Oahu trail map between 1968 and 1979 and to determine the disposition, use, accessibility and condition of such government roads, paper-roads, trails, and rights-of-way which existed in 1968.

Your Committee heard testimony that public access to many state owned forest areas is either extremely limited or non-existent. Forest access problems have increased sharply in the past few years, because land owners are concerned with liability and vandalism.

The Hawaiian Trail and Mountain Club testified on an earlier bill that the number of trails they can use has declined sharply, particularly on Oahu. They also

stated that hiking is becoming an increasingly popular activity with over 2000 people a year participating in their hikes.

The Leeward Bow Hunters Association earlier emphasized the importance of hunter access to control pig population. Where access is lacking, animal populations build to the point where severe damage is done to the forest vegetation and watershed.

Your Committee agrees more trail access is needed. However, there is concern that DLNR first press for existing rights-of-way which may have been abandoned in the past. DLNR should be sure it does not buy a right-of-way where the State may already have one. Moreover, the Attorney General should be consulted, since it is believed that there is no such thing in Hawaii as a land-locked parcel without access.

According to testimony, 37 trails were removed from the maps of Oahu between 1968-1979. Some of these may have truly been private trails which the land owner had a right to close off, but others may have involved a failure of adequate vigilance on the part of the State to protect public rights of access.

Your Committee feels that a thorough evaluation of those 37 trails which were dropped from the maps will give an indication of whether there has been due vigilance over the years and will indicate whether further action needs to be taken with respect to both the 37 trails in question and others which have "vanished" over the years on all islands.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 245 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1339 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 57

The purpose of this resolution is to request the National Park Service to exempt Hawaiian residents from entrance fees to National Parks in Hawaii.

Your Committee finds that the life of the land is a vital part of the human essence for the Hawaiian people and for others in Hawaii. Being part of the land is far more than a religious experience for these people. It is part of their very being. Being required to pay for the right to visit the land is like being required to pay to visit ones own family. It separates people with a symbolic wall as surely as the iron curtain separate families in Europe.

Your Committee finds that the fees charged by the National Park Service are yet another small but significant step in separating the people of Hawaii from the aina, from the soul of the land, and has amended this resolution to reflect the strong ties the people of Hawaii have for the land.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the purpose and intent of H.C.R. 57, as amended, and recommends its adoption in the form attached hereto as H.C.R. No. 57, H.D. 1.

Signed by all members of the Committee except Representative Say.

SCRep. 1340 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 233

The purpose of this resolution is to request that the Congress of the United States amend Public Law 96-565, 94 Stat. 3321, to permit the National Park Service to enter into a special lease agreement for State lands.

Public Law 96-565 established the Kalaupapa National Historical Park contemplating that the National Park Service would secure use of both Hawaiian Home and State lands by cooperative agreements, without fee, from the Hawaiian Homes Commission and the State of Hawaii. Kalaupapa Settlement is encompassed in the 1300 acres which are Hawaiian Home Lands.

Recently, federal and State agencies have determined that the Hawaiian Homes

Commission cannot legally allow trust lands to be used without payment. Both the Department of Hawaiian Home Lands and the Department of Health have expressed support of the purpose of this resolution.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 233 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1341 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 132

The purpose of this concurrent resolution is to request that the Congress of the United States amend Public Law 96-565, 94 Stat. 3321, to permit the National Park Service to enter into a special lease agreement for State lands.

Public Law 96-565 established the Kalaupapa National Historical Park contemplating that the National Park Service would secure use of both Hawaiian Home and State lands by cooperative agreements, without fee, from the Hawaiian Homes Commission and the State of Hawaii. Kalaupapa Settlement is encompassed in the 1300 acres which are Hawaiian Home Lands.

Recently, federal and State agencies have determined that the Hawaiian Homes Commission cannot legally allow trust lands to be used without payment. Both the Department of Hawaiian Home Lands and the Department of Health have expressed support of the purpose of this concurrent resolution.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 132 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1342 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 217

The purpose of this resolution is to express the Fourteenth Legislature's support for the acquisition of the Crater Hill coastal wildlands area, for inclusion in the Kilauea Point National Wildlife Refuge, and to encourage the federal government to expedite the acquisition.

Your Committee finds that over 450,000 people visit Kilauea Point annually. They come to see the spectacular vistas as well as to view the seabirds that nest there. The area has the largest concentration of seabirds in the inhabited Hawaiian Islands, and is the only quality seabird nesting site which is easily accessible to the public. No other site in Hawaii illustrates the recreational value of a well-managed wildlife refuge in this way, while at the same time promoting conservation values. It is urgent that a federal appropriation to acquire these parcels be made as soon as possible because the pressures for development on these lands are great, and once they are developed, they will be lost forever.

Your Committee has made minor non-substantive amendments for purposes of clarity and understanding.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 217, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 217, H.D. 1.

Signed by all members of the Committee.

SCRep. 1343 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 125

The purpose of this concurrent resolution is to express the Fourteenth Legislature's support for the acquisition of the Crater Hill coastal wildlands area, for inclusion in the Kilauea Point National Wildlife Refuge, and to encourage the federal government to expedite the acquisition.

Your Committee finds that over 450,000 people visit Kilauea Point annually.

They come to see the spectacular vistas as well as to view the seabirds that nest there. The area has the largest concentration of seabirds in the inhabited Hawaiian Islands, and is the only quality seabird nesting site which is easily accessible to the public. No other site in Hawaii illustrates the recreational value of a well-managed wildlife refuge in this way, while at the same time promoting conservation values. It is urgent that a federal appropriation to acquire these parcels be made as soon as possible because the pressures for development on these lands are great, and once they are developed, they will be lost forever.

Your Committee has made minor non-substantive amendments for purposes of clarity and understanding.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 125, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 125, H.D. 1.

Signed by all members of the Committee.

SCRep. 1344 Planning, Energy and Environmental Protection on H.C.R.
No. 221

The purpose of this concurrent resolution is to request the Natural Area Reserves System (NARS) Commission, in cooperation with the Department of Land and Natural Resources and consultation with interested private organizations, to develop a comprehensive plan for the management and funding for said management of the NARS.

Your Committee finds that Chapter 195, HRS, enacted in 1970, established the State NARS to protect important natural areas within the vast inventory of State lands. This reserve system protects thousands of uniquely Hawaiian species, provides ideal sites for research and outdoor education and, in many cases, guards vital watershed lands.

Your Committee further finds that most of these natural reserve areas are now suffering from serious management problems which threaten to permanently destroy or degrade the resources protected therein. In response to such threats, the Legislature is considering legislation to refine and improve the reserves system by making clearer the role of the NARS Commission and by granting additional powers and imposing additional duties upon the Department of Land and Natural Resources.

Your Committee feels that an up-to-date comprehensive management plan is needed to ensure optimal protection of the NARS reserves and to incorporate any new changes mandated by this year's Legislature.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of H.C.R. No. 221 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1345 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 159

The purpose of this concurrent resolution is to request the Department of Hawaiian Homes Lands to convene a study group to develop working plans to maximize the productivity and economic independence of the homesteaders.

Your Committee received testimony indicating the Extension Service has one person working on Molokai and that some studies have been done to help him prioritize his work. Both the Extension Service and the Department of Hawaiian Home Lands indicated that this study would be helpful. The DHHL indicated it expects such a study to take at least a year.

Your Committee has amended the concurrent resolution to extend the time required before reporting back to the Legislature and to ask DHHL to provide an interim report to the 1988 Legislature.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 269, as amended herein, and recom-

mends its adoption in the form attached hereto as H.C.R. No. 269, H.D. 1.

Signed by all members of the Committee.

SCRep. 1346 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 59

The purpose of this concurrent resolution is to request the University of Hawaii to examine the long range need for postsecondary education in West Hawaii and to work with the Department of Land and Natural Resources to select an appropriate site.

Your Committee finds such a study is needed, and that it is important to be sure to include all of West Hawaii in the study and to try to anticipate future growth trends. This Committee also finds that several private land owners may be willing to make suitable property available.

Your Committee has amended the concurrent resolution to assure that public and private property will be considered, and has made other non-substantive amendments.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 59, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 59, H.D. 1.

Signed by all members of the Committee.

SCRep. 1347 Housing and Community Development on H.C.R. No. 227

The purpose of this concurrent resolution is to request the Hawaii Housing Authority (HHA) to review and answer specific questions related to the conversion from leasehold to fee simple of property beneath condominiums and cooperative housing projects and to report its findings to the Legislature 20 days prior to the convening of the 1988 session.

Your Committee received considerable testimony on this concurrent resolution. Representatives from the HHA, the Bernice Pauahi Bishop Estate, the Trustees of the Castle Estate, the Hawaii Independent Condominium and Cooperative Owners Association, Inc., and the Hawaii Council of Associations of Apartment Owners all testified in favor of the concurrent resolution although some had reservations or recommended amendments. A number of owners of small lots testified against the measure.

Your Committee is cognizant of the competing interests involved in the conversion of leasehold land to fee for multi-unit dwellings which will allow owners of condominiums or cooperatives to purchase their share of the land. Those who currently own the land point to their right to retain ownership and to their economic reliance upon their continued ownership. Your Committee is specially concerned about owners of small lots who allowed developers to build condominiums or cooperatives on these lots as a part of the financial planning of a small family concern.

However, your Committee also understands the desire of persons to own the land upon which their home is situated even if they share their ownership with owners of other units on the same land.

Because of the recent interest of such conversion generated by recent court cases which upheld the Land Reform Act, your Committee feels that answers to the questions set forth in this measure must be available before an equitable solution may be found for this dilemma.

However, your Committee emphasizes that in addressing these questions all of the various interests must be represented. While the HHA has been designated as the agency who will research and write the report and draft proposed legislation, input from owners of large and small tracts of land must be considered as should the input from financial institutions which are or may become involved in this issue. Your Committee has amended this concurrent resolution to reflect this concern.

Your Committee has further amended this concurrent resolution by requesting the HHA to prepare and submit proposed legislation providing for the conversion of leasehold condominiums and cooperatives and to analyze the provisions of the proposed legislation to provide legislators with a complete review of the pros and cons of the various provisions.

Your Committee has also made technical, nonsubstantive amendments to the concurrent resolution for purposes of style and clarity.

Your Committee on Housing and Community Development concurs with the intent and purpose of H.C.R. No. 227, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 227, H.D. 1.

Signed by all members of the Committee.

SCRep. 1348 Planning, Energy and Environmental Protection on H.C.R.
No. 222

The purpose of this concurrent resolution is to request the Director of the Department of Planning and Economic Development (DPED) to sponsor an international conference on major renewable energy systems in Hawaii during the summer of 1988.

Your Committee finds that the development of "high-tech" industries in Hawaii would stimulate economic diversification and be very beneficial to the State. Your Committee further finds that economic diversification has been an expressed goal of both the Legislature and the Administration.

Your Committee feels that in order to foster economic diversification through the development of high-tech industries it would be prudent to focus on technologies that have already been developed and ones which have shown great promise for development in Hawaii. Your Committee further finds that Hawaii is rich in alternative renewable energy resources which are becoming increasingly available for use under new or improved technologies.

Your Committee feels that the present status and potential of the many technologies being used in Hawaii to tap renewable energy systems make this State a world leader in this field and can serve as a magnet drawing additional high-tech industries to Hawaii.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of H.C.R. No. 222 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1349 Health on H.C.R. No. 9

The purpose of this concurrent resolution is to request the Healthcare Association (formally the Hospital Association) of Hawaii to report on the voluntary efforts of the hospitals in Hawaii to control costs.

Health care costs, including hospital costs, are the subject of much scrutiny and debate. These costs have increased dramatically over the years as the costs of medical technology, the healthcare workforce, and reimbursement mechanisms have also changed.

Health care planning laws, recent federal reimbursement program amendments, competition, and individual hospital voluntary efforts, among other things, have all contributed to cost-containment efforts. There are other innovative programs underway in Hawaii and across the nation that also will contribute to these cost-control efforts.

Your Committee received testimony from the Healthcare Association offering its support for this report as well as suggested amendments to the concurrent resolution.

Your Committee has amended the concurrent resolution to reflect the desire of the Legislature to better understand the issues which contribute to the increases in medical costs as well as to assess the efforts now underway, or possible, that

will control these costs. The report is requested to include, but be limited to, an assessment of the DRG system in Hawaii, the effects of the changes in the federal reimbursement programs, specific problems which add to the increases in health care costs, and a description of how a modern healthcare facility makes and/or loses money under the current reimbursement mechanisms.

The concurrent resolution has also been amended to also request a report of these same concerns from the Department of Health County/State Hospital System.

Your Committee on Health concurs with the intent and purpose of H.C.R. No. 9, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 9, H.D. 1.

Signed by all members of the Committee.

SCRep. 1350 Health on H.C.R. No. 64

The purpose of this concurrent resolution is to request the Department of Health to conduct a study of the need for physical therapists who provide services to handicapped children in the public schools.

The U.S. Department of Labor reports that there is a nation-wide shortage of trained physical therapists and other reports indicate that the number of practitioners currently provides only 50 percent of the nation's needs. Hawaii is no exception. This shortage, felt especially hard in the public school system where these therapists provide services to handicapped children, carries over to other areas of care as well.

Your Committee received testimony in support of the intent of this concurrent resolution from the Department of Health, the Department of Education and the Department of Personnel Services. The emphasis of these presentations was that there have been studies in the past, and the State is well aware that this shortage exists. Suggestions were made as to how the concurrent resolution might be expanded and improved.

Your Committee finds that the shortage of trained therapists also includes occupational and recreational therapists, both in the public and private sectors. In all of these areas Hawaii has the added burden of not having an accredited training program for professional therapists in these categories.

Your Committee has amended the concurrent resolution by the following:

(1) Changing the title to read: "House Concurrent Resolution Relating to the Shortage of Trained Physical, Occupational and Recreational Therapists Serving the Handicapped Children in the Public Schools and Other Treatment Areas in Hawaii",

(2) Expanding the list of areas for investigation to include incentives for keeping trained therapists in the public sector, having the Department of Health work closely with the Department of Personnel Services to review the feasibility of classifying these areas under shortage categories rates and other potential ways of reducing or eliminating the shortage of these professional therapists in Hawaii.

Your Committee on Health concurs with the intent and purpose of H.C.R. No. 64, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 64, H.D. 1.

Signed by all members of the Committee.

SCRep. 1351 Intergovernmental Relations on H.C.R. No. 144

The purpose of this concurrent resolution is to urge the federal government to extend to France the opportunity of using American nuclear testing facilities such as the one located in Nevada.

While an end to nuclear weapons testing is desirable, such a drastic change in defense policies worldwide is highly unlikely in the near future. This concurrent resolution takes a small but significant step toward restricting widespread nuclear weapons testing by limiting the activities of France and the United States to one

designated site. Such a policy would help improve our relations with South Pacific nations, possibly limit Soviet influence in the region, provide valuable protection to the fragile South Pacific environment, further the interests of world peace, and assist an important American ally.

France is a vital and long standing ally of the United States and is an integral part of the defense of Western Europe. Therefore, France must be assured that a viable alternative test site exists before it can reasonably be expected to consider relocating its current one.

Your Committee notes that Great Britain has already been offered the use of these testing facilities, and that many South Pacific nations are opposed to the current policy of the French government to utilize the South Pacific region to test its nuclear weapons.

For many years, France has been conducting nuclear tests in the South Pacific islands without the consent of the people. The tests, which have disrupted people's lives, should not continue. Moreover it is important for the United States to maintain good relations with South Pacific nations not only to assist in their economic development and to preserve their political independence, but also to counter an increasing Soviet presence in the area, as evidenced by the growth of military forces and attempts to obtain fishing rights and other concessions from these nations.

As an island community strategically located in the Pacific and comprised of a multi-ethnic population tracing its roots to Polynesia and Asia, Hawaii should play a leading role in furthering improved relations between the United States and the Pacific Basin nations. Consequently, your Committee believes that the State of Hawaii should take the initiative to persuade the federal government to act favorably, together with one of its western allies, to protect the physical, emotional, and economic well-being of the South Pacific people.

Your Committee on Intergovernmental Relations concurs with the intent and purpose of H.C.R. No. 144, and recommends its adoption.

Signed by all members of the Committee except Representatives Tungpalan and Marumoto.

SCRep. 1352 Education on H.R. No. 279

The purpose of this resolution is to request the Department of Accounting and General Services to develop a program for the construction of security screens for the public schools by inmates of the State's correctional facilities.

The Department of Accounting and General Services, the Department of Social Services and Housing, and the Department of Education testified in favor of this resolution.

Your Committee on Education concurs with the intent and purpose of H.R. No. 279 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Bunda, Crozier, Shon and Taniguchi.

SCRep. 1353 Education on H.C.R. No. 165

The purpose of this concurrent resolution is to request the Department of Accounting and General Services to develop a program for the construction of security screens for the public schools by inmates of the State's correctional facilities.

The Department of Accounting and General Services, the Department of Social Services and Housing, and the Department of Education testified in favor of this concurrent resolution.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 165 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Bunda, Crozier, Shon and Taniguchi.

SCRep. 1354 Education on H.C.R. No. 251

The purpose of this concurrent resolution is to request the Legislative Auditor to conduct a study on the issue of supplemental pay as it relates to the Department of Education's teacher salary schedule.

Your Committee notes that while supplemental pay is a negotiable item in collective bargaining, there exists a need to study the rationale of supplemental pay, its historical background, and the elements of equitable compensation. The Department of Education's testimony also shares these concerns.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 251 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Bunda, Crozier, Hashimoto, Shon and Taniguchi.

SCRep. 1355 Legislative Management on H.C.R. No. 7

The purpose of this concurrent resolution is to request the Legislative Auditor to examine the extent to which Hawaii's work force has been excluded from Hawaii's employee benefit programs over the past ten years and to explore alternative means to finance the extension of employee benefit laws to part-time, casual and temporary employees in a fair and equitable manner.

Your Committee reviewed and carefully considered the testimony presented at the hearing and finds that Hawaii's employment security, temporary disability insurance, prepaid health care and other labor laws were initially enacted for humanitarian and liberal purposes, to preserve and to enhance a fair and decent standard of living for all of Hawaii's work force. However, excluded from the beneficial effects of this humanitarian legislation are part-time, casual or temporary employees.

Your Committee finds that there has been substantial growth in the number of part-time, casual and temporary employees in the past 10 years, and as a result of that growth, there is now a large segment of Hawaii's work force that does not enjoy the protection and beneficial effects of Hawaii's employee benefit laws.

Your Committee believes that these employees which are largely unrepresented in the collective bargaining process may require the same or similar protection as full-time employees.

Your Committee further believes that a study designed to examine the extent to which part-time, casual and temporary workers have been excluded from Hawaii's employee benefit laws since 1976 and to explore alternative means to provide coverage to part-time, casual and temporary employees is timely and in the best interest and welfare of Hawaii's people.

Your Committee has amended this bill by expanding the scope of the study to include the effect of the growth of excluded employees on government sponsored benefit programs and the impact on business if businesses were required to include all employees in their employee benefit programs.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 7, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 7, H.D. 1.

Signed by all members of the Committee except Representative Souki.

SCRep. 1356 Legislative Management on H.C.R. No. 87

The purpose of this concurrent resolution is to request that the Legislative Auditor conduct a follow-up audit on the progress of the Office of Hawaiian Affairs in response to recommendations made in a previous audit, for the purpose of ascertaining whether or not state funds are being used efficiently and effectively. The Legislative Auditor's audit would be delivered to the Legislature before the 1989 Regular Session. In the meantime, the Office of Hawaiian Affairs is to report to the 1988 Legislature on what steps they have taken to implement

the recommendations of the 1986 audit.

Your Committee finds that an audit of the Office of Hawaiian Affairs is vital to the future effectiveness of the office.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 87, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Souki.

SCRep. 1357 Intergovernmental Relations on H.C.R. No. 149

The purpose of this concurrent resolution is to request the federal government to consider establishing a new federal administrative region for Hawaii, the Territories of American Samoa and Guam, the Commonwealth of the Northern Mariana Islands (collectively referred to as the American Flag Pacific Islands, or AFPI), and the newly created Freely Associated States comprised of the Republic of the Marshall Islands and the Federated States of Micronesia. A separate administrative region would improve the effectiveness, responsiveness, cultural sensitivity, and coordination of the various federal programs serving the Pacific Basin.

Under the present federal administrative structure, the AFPI and the Freely Associated States are served primarily from Region IX based in San Francisco, although a few programs are governed by Region X in Seattle.

Your Committee finds this arrangement to be less than satisfactory for several reasons. First, the problems and needs of the Pacific Basin are often evaluated in relation to the vastly different demands of California, Arizona, and Nevada. Second, the unique cultural, economic, political, and geographic factors which characterize the region are not well understood on the mainland. Third, federal managers based in Honolulu are not able to make decisions independently, and must act upon programs and initiatives which are developed in Washington, D.C., and then filtered through the respective regional offices. And fourth, the vast distance between the present regional offices and Hawaii and the other Pacific Islands periodically cause unacceptable execution delays. These factors interact and reduce the efficiency, effectiveness, and responsiveness of federal programs received in the Pacific Basin.

The Department of Planning and Economic Development and the executive director of the Pacific Basin Economic Development Council provided testimony in support of this concurrent resolution. Both discussed specific instances of federal programs being negatively affected by the existing region alignment. They stated that a separate federal administrative region for Hawaii and the other Pacific Islands would provide an excellent means for the United States to devote proper attention and resources to Pacific Basin issues, problems and concerns.

More specifically, it would enable the development and implementation of federal policies and programs to be shaped by the unique demands of the area. This would not only enhance program effectiveness, but would help to improve foreign relations with countries throughout the region, and could possibly expand foreign trade opportunities, while also reducing the likelihood of outside intervention in the Pacific Basin.

Your Committee on Intergovernmental Relations concurs with the intent and purpose of H.C.R. No. 149, and recommends its adoption.

Signed by all members of the Committee except Representatives Tungpalan and Marumoto.

SCRep. 1358 Intergovernmental Relations on H.C.R. No. 215

The purpose of this concurrent resolution is to urge the Postmaster General to forego any intention of closing the Hakalau Post Office or the Paauhau Post Office on the Island of Hawaii. It seeks to provide assurances to the people in these communities that their postal service will be maintained at its present level.

In addition, this concurrent resolution urges members of the congressional delegation to do whatever they can to protect the interests of the people of

Hakalau and Paauhau.

Your Committee heard testimony indicating that there was broad general support to keep the postal service as it is currently offered. Testimony also indicated that the postal service had tried a rural delivery system, but found that it was more cost effective to have a post office located in Hakalau and Paauhau. There is no home delivery as in the city. Rural residents have to go to the post office to pick up their mail.

Testimony in support of this concurrent resolution was received from Hakalau Senior Citizens, National Association of Letter Carriers, Councilman Russell Kokubun, and from the County Council of Hawaii. The resolution from the County Council of Hawaii requests that the U.S. Postal Service continue to maintain a U.S. Post Office in both Hakalau and Paauhau.

Your Committee on Intergovernmental Relations concurs with the intent and purpose of H.C.R. No. 215, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1359 Intergovernmental Relations on H.C.R. No. 230

The purpose of this concurrent resolution is to increase access to governmental services by recommending changes to present working hours.

Your Committee finds that public access to many necessary services is currently limited by present State and County governmental office hours. Request to change license and permit office hours of the State of Hawaii and the City and County of Honolulu is warranted in order to maximize the opportunity for citizens to receive these governmental services.

Your Committee heard testimony in support of the intent to this concurrent resolution from the City and County of Honolulu and from the State Department of Health.

Your Committee change the title of the House concurrent resolution to read:

"HOUSE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII AND THE CITY AND COUNTY OF HONOLULU TO EXPAND CERTAIN PUBLIC SERVICES TO INCLUDE EVENING HOURS AND SATURDAYS"

Based on this testimony, your Committee has amended this concurrent resolution to urge investigation and consideration into the feasibility of changing hours rather than the implementation of a pilot program. This change will allow more flexibility to the state and county to address the problem and make recommendations. Your Committee has also made non-substantive amendments.

Your Committee on Intergovernmental Relations concurs with the intent and purpose of H.C.R. No. 230, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 230, H.D. 1.

Signed by all members of the Committee.

SCRep. 1360 Intergovernmental Relations on H.C.R. No. 18 (Majority)

The purpose of this concurrent resolution is to advise the Board of Land and Natural Resources of the firm position of the Legislature to keep "Old Government Road" at Diamond Head, Oahu, open to the public and to request the Board of Land and Natural Resources to take the necessary actions to prevent the sale or long term lease, of any portion of the "Old Government Road" at Diamond Head, Oahu, to any private landowner or for any non-public purpose.

In addition, this resolution reflects that transfer to the City and County of Honolulu is only one of several alternatives to preserving the public's rights to this property.

Your Committee finds that the State Supreme Court has determined that Old Government Road is a public right-of-way. The Attorney General of Hawaii has reaffirmed the finding that Old Government Road is the property of the State of

Hawaii.

Further, your Committee strongly believes that public access to public beaches which are a vital recreation resource must be retained in public ownership for public recreational use.

Your Committee has amended the concurrent resolution by deleting the second resolve clause requesting the transfer of the old government road to the City and County of Honolulu.

Your Committee has also made some technical, nonsubstantive amendments to the concurrent resolution for purposes of consistency and clarity.

Your Committee on Intergovernmental Relations concurs with the intent and purpose of H.C.R. No. 18, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 18, H.D. 2.

Signed by all members of the Committee except Representatives Jones and Marumoto.
(Representative Souki did not concur.)

SCRep. 1361 Intergovernmental Relations on H.C.R. No. 201

The purpose of this concurrent resolution is to ask that a commission be established to examine the development of Kapolei, Ewa, as a second city and to recommend improvements or actions to accelerate activity in Kapolei.

In addition, this concurrent resolution provides for a report to be submitted to the Governor, Senate President, House Speaker, Council of the City and County of Honolulu, Board of Education, and the Estate of James Campbell at least 20 days prior to the convening of the Regular Session of 1988.

Your Committee received testimony from the Hawaii Housing Authority, the Department of Education, the Department of Housing and Community Development, and the Estate of James Campbell in support of this concurrent resolution. The testimony indicated that although there is support for the concurrent resolution that instead of appointing a commission that a task force would be more appropriate.

While in agreement with the intent of the concurrent resolution to provide for a commission, your Committee believes that a task force would be more appropriate. Your Committee has therefore amended the concurrent resolution to provide for a task force to examine the development of Kapolei as a second city. The title of the concurrent resolution has been changed to:

"Requesting a task force be established to examine the development of Kapolei as a second city".

Your Committee has further amended the concurrent resolution by changing the word "commission" to "task force" in the BE IT RESOLVED paragraphs.

Your Committee on Intergovernmental Relations concurs with the intent and purpose of H.C.R. No. 201, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 201, H.D. 1.

Signed by all members of the Committee.

SCRep. 1362 Education on H.C.R. No. 68

The purpose of this concurrent resolution is to request that the Department of Education establish a new high school in West Hawaii.

Your Committee finds that the rapid growth of West Hawaii and the increasing number of large developments there could have a serious impact on the quality of educational services in that area. In order to address this problem adequately in the capital improvement budget, it is essential that the Legislature have a comprehensive plan for establishing educational facilities in West Hawaii.

The title and the language of this concurrent resolution have been amended to

include a study of the need for additional school facilities and a district office in West Hawaii.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 68, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 68, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Crozier, Shon and Taniguchi.

SCRep. 1363 Education on H.C.R. No. 167

The purpose of this concurrent resolution is to request that the Department of Education study the need, benefits, and costs of establishing half-time positions for student activities coordinators in all of the State's intermediate schools.

The Department of Education testified that this concurrent resolution is not needed because a special analytic study on the need for student activities coordinators in the intermediate schools has been completed. However, your Committee feels that an additional study is needed on whether these positions should be temporary or permanent. The title and the language of this concurrent resolution have been amended accordingly.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 167, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 167, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Crozier, Shon and Taniguchi.

SCRep. 1364 Judiciary on H.C.R. No. 101

The purpose of this concurrent resolution is to request the Traffic Violations Bureau of the Judiciary to evaluate and improve upon the processing of parking tickets issued to jurors and witnesses.

People who perform jury duty as part of their civic obligation or provide testimony as witnesses in judicial proceedings are crucial to the smooth running of the judicial system. However, due to the uncertain length of the trial process, many jurors and witnesses have been subject to traffic tickets and fines for situations beyond their control.

Your Committee feels there is a need for an administrative mechanism to deal with the problem of parking citations received by jurors and witnesses as a result of their being required to fulfill a civic duty. This study would hopefully determine what types of citations should be handled administratively.

Your Committee on Judiciary concurs with the intent and purpose of H.C.R. No. 101 and recommends its adoption.

Signed by all members of the Committee except Representatives Bellinger, Cachola, Hirono, Peters, Takamine and Jones.

SCRep. 1365 Judiciary on H.C.R. No. 94

The purpose of this concurrent resolution is to request the Adult Probation Division of the First Circuit to conduct a study on the intensive surveillance programs of other states with a view toward implementing such a system in Hawaii.

Prison overcrowding is a continuing problem in Hawaii as well as nationwide. Any effective alternative to incarceration would have to meet strict standards and employ a foolproof method of monitoring the offender in the community. Intensive surveillance or supervision is one such alternative.

Your Committee feels that this alternative should be studied as a means to reduce prison overcrowding in hopes of lessening the attendant economic burdens.

Your Committee concurs with the intent and purpose of H.C.R. No. 94 and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola, Hirono, Peters and Takamine.

SCRep. 1366 Ocean and Marine Resources on H.C.R. No. 6

The purpose of this concurrent resolution is to affirm Hawaii's commitment to attaining shared management with the federal government in the more than 600,000 square miles of the Exclusive Economic Zone which surrounds the Hawaiian Islands.

Your Committee finds that every facet of life in our State is tied to the ocean. To a greater degree than any other state, our life and livelihood depend on it.

In order to maintain the unique lifestyle developed by all of Hawaii's people and to expand economic activities, the State must be able to continue to utilize all of its resources.

Your Committee further finds that Hawaii must be a full participant in decision-making related to EEZ activities that could have a major impact on the State, such as those involving long-term use of fixed ocean sites, direct linkages with the shore, and oceanside demands and risks.

Your Committee has amended the title of this resolution to include the words "United States" to distinguish it from the EEZ's of other nations as follows: "HOUSE CONCURRENT RESOLUTION DECLARING HAWAII'S COMMITMENT TO ATTAIN AN EFFECTIVE, SHARED MANAGEMENT ROLE WITH THE FEDERAL GOVERNMENT IN THE UNITED STATES EXCLUSIVE ECONOMIC ZONE."

In addition, your Committee has made other substantive amendments to this concurrent resolution upon the recommendation of the Department of Planning and Economic Development. These amendments are as follows:

a. The first WHEREAS clause has been modified to eliminate the apparent distinction between ownership and control within the EEZ.

b. The second WHEREAS clause has been changed to a more general statement, implying the inclusiveness of all EEZ resources and activities, as well as the exclusive role of the federal government in controlling or managing these resources.

c. Three new WHEREAS clauses have been added following the second WHEREAS clause. These deal with generic considerations regarding development impacts, ocean environments and the law.

d. Finally, the list of State activities already undertaken, within the Hawaiian EEZ has been updated. The State's participation in the joint Federal-State Task Force for ocean mining of manganese crusts in waters surrounding Hawaii and Johnston Island and in the Coastal States Organization's efforts to unify coastal states in achieving an effective EEZ management role have been added to the tenth WHEREAS clause.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.C.R. No. 6, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 6, H.D. 1.

Signed by all members of the Committee.

SCRep. 1367 Ocean and Marine Resources on H.C.R. No. 140

The purpose of this concurrent resolution is to request Hawaii's congressional delegation to support programs to control plastic and net pollution in the ocean.

Your Committee finds that long-lasting plastic debris is a hazard to sea craft. Additionally, such debris entangle, strangle, and are indigestible to aquatic life that eat them.

Your Committee has amended this concurrent resolution to urge State agencies, specifically the Department of Transportation, the Department of Health, and the Department of Land and Natural Resources to control plastic and net pollution through information, education, and regulation.

Your Committee has added a paragraph to specify that certified copies of this concurrent resolution be transmitted to Hawaii's congressional delegation and to the directors of certain State agencies for the following reasons: (1) to the Department of Transportation because plastic debris are dumped from ships at sea; (2) to the Department of Health because of water pollution resulting from such plastic and net debris; and (3) to the Department of Land and Natural Resources because of their concern with ocean resources.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.C.R. No. 140, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 140, H.D. 1.

Signed by all members of the Committee.

SCRep. 1368 Ocean and Marine Resources on H.C.R. No. 133

The purpose of this concurrent resolution is to support the proposed submarine tours by Atlantis Submarines, Inc. and its successful implementation on a timely basis.

Your Committee finds that submarine tours would serve to diversify and strengthen Hawaii's economic base in support of the State's major industry, tourism. This is in line with the State General Plan.

The proposed submarine tours could make great strides toward marine literacy, a necessity in order for Hawaii's people to make informed decisions regarding wide use of one of our most precious resources, the ocean.

An underwater vehicle would provide an ideal means for teaching coral ecology, volcanic geology, and ocean physics, as well as providing first-hand experience for the adventurous and not-so-adventurous.

The possibility of constructing submarines in the State was also discussed by your Committee, with respect to the additional jobs and income created by such action. However, due to the state-of-the-art technology required, this would be a long-term goal. In the short term, however, the submarine tour operations are expected to generate support crew, clerical, and marketing positions.

Your Committee expressed concern that legislative support be given to submarine tours in general, rather than to Atlantis Submarines, Inc. exclusively. To this end, your Committee has amended the title of this concurrent resolution to delete reference to Atlantis Submarines, Inc.

Your Committee has also shifted three paragraphs describing the suitability of submarine tours for the State to the beginning of the resolution to lend greater emphasis to the idea of submarine tours in general, rather than focus only on Atlantis Submarines, Inc.

Your Committee has retained the content of the resolution which refers specifically to Atlantis Submarines, Inc., as this is the first submarine tour group to seek an ocean lease, and as such is supported by your Committee.

Your Committee has, however, resolved to support submarine tour groups in general and encourage expedition of the permit process for such groups.

In addition, the Department of Land and Natural Resources testified that it is the function of the various permit reviews and hearings conducted by the department to determine whether the proposed submarine operations are compatible with existing policies and statutes. Therefore, your Committee has amended the second Whereas clause on page 4 by changing the word "are" to "appear" to remove any suggestion that the matter is being prejudged for the Land Board, which makes that determination.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.C.R. No. 133, as amended herein, and recommends its adoption in

the form attached hereto as H.C.R. No. 133, H.D. 1.

Signed by all members of the Committee.

SCRep. 1369

Transportation on H.C.R. No. 166

The purpose of this concurrent resolution is to request the counties to work in concert with the Hawaii Lions Eye Bank-Makana Foundation to provide encouragement and assistance to persons wishing to provide an organ donation by posting notices and signs at licensing bureaus informing interested persons about the program, to provide space in the licensing bureau for registration forms and informational brochures about the program, and, if feasible, to allow licensing personnel to witness the execution of registration forms by persons applying for driver's licenses.

Although a formal mechanism currently exists which permits the designation on an individual's driver's license of the desire of the individual to be an organ donor, few citizens are aware of this process due to the lack of publicity. Furthermore, while the need for transplantable organs and tissues continues to grow, availability has not kept up with demand. Your Committee believes that allowing the Hawaii Lions Eye Bank-Makana Foundation to have informational brochures and registration forms available to the public in the various driver's licensing stations throughout the State would benefit this critically needed program by reaching those people who may wish to register to donate their organs and tissues.

Your Committee finds that the Hawaii Lions Eye Bank-Makana Foundation is willing to cooperate with the various county licensing bureaus by providing the necessary posters and brochures and maintaining an adequate supply of registration forms with no cost incurred by the counties. However, this program should not create an additional burden for the various county licensing bureaus and thus should not involve county personnel in the witnessing of the filling and signing of registration forms. Your Committee has therefore amended this concurrent resolution to delete the request to allow county licensing personnel to witness the completion of registration forms.

Your Committee on Transportation is in accord with the intent and purpose of H.C.R. No. 166, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 166, H.D. 1.

Signed by all members of the Committee except Representatives Souki, Yoshimura and Jones.

SCRep. 1370

Transportation on H.C.R. No. 67

The purpose of this concurrent resolution is to request the Department of Transportation to formulate recommendations for a pedestrian safety plan for certain hazardous sections of Kalanianaʻole Highway.

As the major corridor linking Hawaii Kai, Nui Valley, Aina Haina, and Waialae Iki with central Honolulu, Kalanianaʻole highway is heavily utilized daily by up to 4000 cars an hour. This creates hazardous traffic conditions for pedestrians, joggers, and bike riders, especially along sections of Kalanianaʻole Highway which lack sidewalks or sufficient shoulder areas. This dangerous situation has led to numerous traffic accidents, culminating in five fatalities in the last 14 months.

Your Committee believes that there is a need for an interim safety plan to enhance pedestrian safety for certain hazardous sections of Kalanianaʻole Highway while work begins on the widening project, which is anticipated to take a minimum of eight years to complete.

Your Committee has amended the title and purpose of this concurrent resolution to request the Department of Transportation to develop an interim pedestrian safety plan for Kalanianaʻole Highway. This concurrent resolution has also been amended to request the Director of Transportation to report its findings and recommendations to the Legislature twenty days prior to the convening of the Regular Session of 1988. This concurrent resolution has been further amended to replace all references to "Kal" Highway with the proper name of Kalanianaʻole Highway, and to require that a certified copy of this concurrent resolution also

be transmitted to Neighborhood Board #1.

Your Committee on Transportation is in accord with the intent and purpose of H.C.R. No. 67, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 67, H.D. 1.

Signed by all members of the Committee except Representative Yoshimura.

SCRep. 1371 Transportation on H.C.R. No. 195

The purpose of this concurrent resolution is to request the Department of Transportation to report on alternatives to the expansion of Pi'ilani Highway. The report should focus on costs, effectiveness of alleviating existing and future traffic pressures, and include a review of highway construction plans for East Maui.

Your Committee finds that rapid population growth in Upcountry Maui has led to increased use of Haleakala Highway, the only major route connecting Pukalani, Makawao and Kula with Central Maui, Kihei and West Maui. Your Committee further finds that proposed plans for traffic needs of Upcountry Maui should be reviewed to be certain that it is current in its assessment of existing and future needs of known traffic flows.

Your Committee believes that a report should be done, especially since present trends for Pukalani and Makawao point towards continued population growth.

Your Committee received testimony from the Department of Transportation in favor of this concurrent resolution.

Your Committee on Transportation is in accord with the intent and purpose of H.C.R. No. 195 and recommends its adoption.

Signed by all members of the Committee except Representatives Souki, Tungpalan and Yoshimura.

SCRep. 1372 Transportation on H.C.R. No. 181

The purpose of this concurrent resolution is to request the Department of Transportation to investigate the hazardous situation occurring at the south intersection of Kunia Drive and Kunia Road, and to take the necessary steps to improve the safety of this intersection.

A hazardous situation exists at the south intersection of Kunia Drive and Kunia Road. This intersection is at the top of a hill where visibility is poor for drivers on either road in all directions. This creates a dangerous situation for motorists and pedestrians. Kunia Drive also serves as a main thoroughfare for the residents of Kunia Village, and, with the anticipated increase in population in this area, should increase the amount of traffic and add to the already dangerous situation.

The Department of Transportation testified in favor of this concurrent resolution.

Your Committee on Transportation is in accord with the intent and purpose of H.C.R. No. 181 and recommends its adoption.

Signed by all members of the Committee except Representatives Souki, Tungpalan and Yoshimura.

SCRep. 1373 Transportation on H.C.R. No. 266

The purpose of this concurrent resolution is to request the Department of Transportation to conduct a study to develop plans to improve the transportation access system to Leeward Community College and West Oahu College. This concurrent resolution also requests that the Department of Transportation submit a report of its findings and recommendations to the Legislature no later than twenty days prior to the convening of the 1988 Regular Session.

Your Committee finds that there is only one road, Alu Ike Street from Kamehameha Highway, that leads to both campuses. This physical limitation has led to the current traffic congestion during peak school hours which often times extends into Kamehameha Highway and the H-1 freeway. Of more significant concern is the potential problem which would be created if there was a need to provide for immediate evacuation of both campuses because of an emergency.

Your Committee believes that a study should be conducted to address the problems of the physical accessibility into Leeward Community and West Oahu Colleges.

Your Committee received favorable testimony from the Department of Transportation, Chancellor of UH-Hilo and West Oahu College, Chancellor for Community Colleges and others.

Your Committee on Transportation is in accord with the intent and purpose of H.C.R. No. 266 and recommends its adoption.

Signed by all members of the Committee except Representatives Souki, Yoshimura and Jones.

SCRep. 1374 Transportation on H.C.R. No. 198

The purpose of this concurrent resolution is to request the Department of Transportation, with the assistance of the High Technology Development Corporation, to study the feasibility of establishing anti-commuting telework centers on Oahu.

Oahu's major arterials connecting Windward, Leeward and Central Oahu with the Honolulu business district will continue to increase in severity as Oahu's population and workforce continues to grow. It is critical at this point in time to examine feasible, effective alternatives to deal with this anticipated traffic congestion problem.

Your Committee finds that one such alternative is an anti-commuting telework center. Anti-commuting telework centers can be established with minimal government capital involved, as the emphasis should come from the private sector to promote such programs.

Your Committee on Transportation is in accord with the intent and purpose of H.C.R. No. 198 and recommends its adoption.

Signed by all members of the Committee except Representatives Souki, Tungpalan and Yoshimura.

SCRep. 1375 Transportation on H.C.R. No. 196

The purpose of this resolution is to urge the Police Departments of each county to increase their efforts in enforcing the requirements of Section 291-35.1, Hawaii Revised Statutes, which specify the maximum bumper heights for vehicles operated upon the public highways of the State.

Your Committee finds that there are many reconstructed vehicles being operated on the public highways of the State which have bumpers that exceed the maximum height limitations as specified in Section 291-35.1, Hawaii Revised Statutes. Some of the vehicles have not been certified as reconstructed vehicles or have been further modified after receipt of reconstruction certification.

Your Committee believes that public safety is severely compromised by allowing non-compliance of the maximum bumper height restrictions. As safety of the public and all operators, passengers, and others on our public highways is of highest concern, the State should seek to assure compliance of safety rules at all times.

Your Committee on Transportation is in accord with the intent and purpose of H.C.R. No. 196 and recommends its adoption.

Signed by all members of the Committee except Representatives Souki and Yoshimura.

SCRep. 1376 Transportation on H.C.R. No. 13

The purpose of this concurrent resolution is to urge the United States Department of Transportation to ban smoking on U.S. airlines.

Your Committee believes there is a definite need to address the issue of cigarette smoke in commercial airplanes. Currently, due to the recirculation of air in commercial airplanes, all passengers and employees are forced to breathe passive, or side-stream, cigarette smoke during flights. Research has repeatedly shown that side-stream cigarette smoke is deleterious to the health of those exposed to it.

Your Committee finds that there are presently no federal standards regarding air quality in airplane passenger cabins, and believes that the United States Department of Transportation should implement measures to enable airline passengers to travel in an environment free from the hazards of passive smoke.

Your Committee has therefore amended the title and purpose of this concurrent resolution to urge the United States Department of Transportation to implement measures to enable airline passengers to travel in an environment free from the hazards of passive smoke. Your Committee has also amended this concurrent resolution to suggest that establishment of federal regulations for air filtration systems be considered to insure that all harmful elements of "passive smoke" are removed from the air prior to recirculation, and that a federal initiative for airlines to offer periodic "smokeless flights" also be considered.

This concurrent resolution has been further amended to require certified copies of this resolution to be transmitted to the United States Senate and House of Representatives.

Your Committee on Transportation is in accord with the intent and purpose of H.C.R. No. 13, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 13, H.D. 1.

Signed by all members of the Committee except Representative Yoshimura.

SCRep. 1377 Transportation on H.C.R. No. 270

The purpose of this concurrent resolution is to request the Department of Transportation to review the existing Waimea bypass road plan and consider an alternate alignment which will not adversely impact Hawaiian Home Lands' development of agricultural lands. The Department of Transportation is requested to work with the County of Hawaii, the Department of Hawaiian Home Lands, the Waimea-Kawaihae Community Association and others to expedite this review.

Your Committee finds that the present plans for the Waimea, Island of Hawaii, bypass road alignment goes through the most valuable agricultural lands of the Hawaiian Home Lands Commission. The Hawaiian Homes Act of 1920, as ruled by the Hawaii Supreme Court, cannot put public projects above the trust purpose of enabling beneficiaries to use the lands for homesteading. The currently proposed bypass road alignment would require that negotiations with existing Hawaiian Homes lessees be conducted. This may lead to prolonged negotiations which will delay construction of the Waimea bypass road when construction funds are appropriated.

Therefore your Committee believes that the Department of Transportation should determine an alternate alignment for this highway that will have minimal impact on Hawaiian Home Lands. The Hawaiian Homes Commission has expressed its willingness to work with the Department of Transportation in its review.

Your Committee received favorable testimony from the Department of Transportation, Department of Hawaiian Home Lands, Kona-Kohala Chamber of Commerce and others.

Your Committee has amended the concurrent resolution to delete paragraph seven because the bypass road is funded in the Multi-Year Program and Financial Plan and Executive Budget for the Period 1987-1993.

Your Committee on Transportation is in accord with the intent and purpose of H.C.R. No. 270, as amended herein, and recommends its adoption in the form

attached hereto as H.C.R. No. 270, H.D. 1.

Signed by all members of the Committee except Representatives Souki and Yoshimura.

SCRep. 1378 Transportation on H.C.R. No. 193 (Majority)

The purpose of this concurrent resolution is to request the Department of Transportation to conduct a new feasibility study of the construction of an interchange on the H-1 freeway at Kaonohi Street.

Your Committee finds that Aiea, Aiea Heights, Waimalu, Pearl Ridge, Waiau, Newtown, Pearl City, Momilani, and Pacific Palisades are among the fastest growing urban areas in the State. There is currently only two Ewa-bound exits from the State highway system that serves approximately 72,000 residents. These two exits are inadequate, as reflected in the virtual standstill during afternoon peak hour traffic. The construction of an additional offramp in the vicinity of Kaonohi Street may help to alleviate the heavy traffic congestion at the existing exits and greatly benefit the residents of this area.

Your Committee believes that the Department of Transportation's cost-benefit study conducted in 1984 regarding a complete interchange in the Kaonohi Street vicinity may no longer reflect current conditions in the area. A new study may indicate that an interchange at this location is warranted.

Your Committee has amended the concurrent resolution to clarify that the interchange would include an on and off ramp at the location. Your Committee further amended the concurrent resolution to clarify that the Department of Transportation's cost-benefit study conducted in 1984 may not have considered the recent population increases in the study.

Your Committee also made amendments to the concurrent resolution to delete several paragraphs for purposes of style and clarity.

Your Committee on Transportation is in accord with the intent and purpose of H.C.R. No. 193, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 193, H.D. 1.

Signed by all members of the Committee except Representatives Souki and Yoshimura.
(Representative Tungpalan did not concur.)

SCRep. 1379 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 22

Your Committee finds that the Hawaiian population is subject to a much higher level of chronic health problems than the general population and that a survey of native Hawaiians indicates that health needs are a concern second only to housing. The Department of Health indicated that the work necessary to reduce morbidity and mortality among Hawaiians is a complex job involving many disciplines and that its ability to attack the problem is severely limited by available resources.

Your Committee has made non-substantive amendments and has included an additional paragraph requested by OHA to document the priorities of the Hawaiian community.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. 22, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 22, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Honda, Kanoho, O'Kieffe and Pfeil.

SCRep. 1380 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 118

The purpose of the concurrent resolution is to ask the Department of Land and

Natural Resources to place a high priority on the planning, design and construction of a new irrigation system at the East Waioli River, Kauai.

The Department of Land and Natural Resources testified in favor of this concurrent resolution, indicating the first increment of the work is nearly complete and additional funding requests are being considered by the Legislature.

Your Committee has made minor non-substantive amendments.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. 118, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 118, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Hashimoto, Kanoho, Say, Tajiri and Isbell.

SCRep. 1381 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 119

The purpose of this concurrent resolution is fully explained by the title.

The Department of Land and Natural Resources (DLNR) indicated it could do the baseline study of the Hanalei River estuary using department funds, and would do the additional work when it could be accommodated along with other department priorities.

Your Committee has amended the concurrent resolution to give DLNR an extra year to do the studies and has made non-substantive amendments.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 119, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 119, H.D. 1.

Signed by all members of the Committee.

SCRep. 1382 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 234

The purpose of this resolution is to request the Governor to proclaim 1988 as the year of telecommunications in the State of Hawaii.

Your Committee finds that telecommunications is a primary high technology niche industry for Hawaii and one that is important to the development of other high technology activity throughout the State. This proclamation can focus attention upon the growing importance of telecommunications in our State's economic plans.

Representatives from the Department of Planning and Economic Development, Department of Budget and Finance, High Technology Development Corporation and private industries testified strongly in favor of this concurrent resolution.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 234 and recommends its adoption.

Signed by all members of the Committee except Representatives Fukunaga, Hiraki, Honda, Kanoho, Tajiri and Pfeil.

SCRep. 1383 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 256

The purpose of this concurrent resolution is to direct the High Technology Development Corporation to work with all telecommunications carriers serving Hawaii to ensure that this State take every advantage of the possibilities offered by the 1988 California to Hawaii fiber-optic undersea cable installation to enable Hawaii to become the hub for trans-Pacific telecommunications traffic.

Your Committee on Water, Land Use, Development and Hawaiian Affairs recognizes the critical importance of a modern, efficient, and cost effective telecommunications infrastructure for the economic development and well being of the

State of Hawaii.

This concurrent resolution directs the High Technology Development Corporation to identify the legal and economic incentives needed to promote the growth of telecommunications infrastructure.

Your Committee on Water, Land Use, Development and Hawaiian Affairs has amended this concurrent resolution to focus upon an effort to encourage and attract private investment in information-based industries which will create employment, produce growth in telecommunications usage and services, and encourage diversity in telecommunications technology, thus assuring Hawaii's role as the center for telecommunications in the Pacific.

Technical, nonsubstantive amendments were also made for purposes of style and clarity.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 256, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 256, H.D. 1.

Signed by all members of the Committee except Representatives Fukunaga, Honda, Kanoho and Tajiri.

SCRep. 1384 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 100

The purpose of this concurrent resolution is to clarify the intent of the Legislature with respect to the Diamond Head State monument, to assure that no tennis facility is built on Diamond Head's outer slopes.

Your Committee received strongly divided testimony regarding the future use of the monument grounds. Everyone agreed the exterior of the crater should be protected from any further development. They want the present exterior appearance of Diamond Head protected, and a proposed tennis facility barred.

Strong difference of opinion was expressed over the use of the interior of the crater. There was agreement that the present hiking uses on and to the crater rim are appropriate, but use of the crater floor is in contention. Your Committee received testimony supporting a golf course and equally strong testimony supporting continued passive use of the crater.

Golfers objected to the term "passive public recreational activities" and favored eliminating the word "passive" from the concurrent resolution. The Outdoor Circle, The Save Diamond Head Association, Historic Hawaii and the West Diamond Head Community Association took the position that the word "passive" is essential to the meaning and intent of the concurrent resolution.

Your Committee finds that this concurrent resolution should be directed specifically to the exterior of the Diamond Head State monument and to the proposed tennis courts. The use of the word "passive" confuses this intent and therefore your Committee has amended the concurrent resolution to eliminate references to "passive recreation". Your Committee believes the master plan for Diamond Head State monument clearly states what uses and developments are appropriate and that the plan deserves support. Changes to the plan will require a comprehensive planning review including full public participation. In the meantime, the tennis facility poses an immediate threat to the monument and should be eliminated.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 100, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 100, H.D. 1.

Signed by all members of the Committee except Representatives D. Ige, Fukunaga, Honda, Kanoho, Tajiri and Isbell.

SCRep. 1385 Tourism on H.C.R. No. 174

The purpose of this resolution is request that the Department of Planning and Economic Development (DPED), together with the Hawaiian Golf Association and

other appropriate agencies prepare a study informing the Legislature of the actions or activities necessary to increase the number of golf tournaments held in Hawaii.

Your Committee received testimony from the Department of Planning and Economic Development strongly in favor of this resolution. DPED stated that it had contracted for a master plan for the continued development of Hawaii as a sports center. DPED continued that, among other things, this plan noted that golf has had a long history in Hawaii. The first golf course was the Moanalua Golf Course which opened in 1898. Today there are a total of 56 courses in the State. Interest in golfing has steadily increased and some estimates indicate that between 12,000 and 20,000 rounds of golf are played by residents and visitors per month. Visitors alone spend over \$30 million a year on green fees and golf cart rentals at our 19 resort courses.

DPED further stated that it is reviewing the recommendations of the sports plan and has made efforts to investigate ways to continue and expand sports industry development in Hawaii. Your Committee finds that attracting golf tournaments is consistent with these efforts.

Your Committee on Tourism concurs with the intent and purpose of H.C.R. No. 174 and recommends its adoption.

Signed by all members of the Committee except Representative Tungpalan.

SCRep. 1386 Human Services on H.C.R. No. 235

The purpose of this concurrent resolution is to establish a philosophy of corrections for Hawaii. The guiding corrections philosophy for the State would be to increase public safety by preparing offenders for crime-free existence after release from prison.

Your Committee heard testimony in support of this concurrent resolution stressing the need for the articulation of a philosophy to guide planning and decision-making for Hawaii's correctional system.

Your Committee finds from testimony presented that merely warehousing prisoners does not adequately provide for public safety. Virtually all prisoners, most lacking job skills, will be released back into the community again, and this time with the double handicap of lack of skills and a prison record, they will pose an even greater threat to public safety than before they were imprisoned. Programs aimed at assisting offenders in the process of reintegration into the community, however, are an effective means of reducing recidivism.

Your Committee believes that a correctional philosophy should address itself to increasing the likelihood that those persons who leave the corrections system and return to society will become law-abiding, productive members of our community. This can best be achieved by ensuring that the State's correctional philosophy specifies that the corrections system increase public safety by preparing offenders for crime-free existence after release from prison, and that our State's correctional planning and decision-making reflect this philosophy.

Your Committee has amended this concurrent resolution in the sixth "WHEREAS" clause by deleting the words "the majority of" and inserting "a considerable number of" in lieu thereof and by correcting typographical errors.

Your Committee on Human Services concurs with the intent and purpose of H.C.R. No. 235, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 235, H.D. 1.

Signed by all members of the Committee except Representatives M. Ige, Peters, Tam and Tom.

SCRep. 1387 Ocean and Marine Resources on H.C.R. No. 242

The purpose of this concurrent resolution is to request the Department of Transportation and the Department of Land and Natural Resources to implement applicable recommendations of the Hanalei/North Shore area of Kauai which the departments deem appropriate and necessary.

This concurrent resolution specifically requests administrative rules be adopted, to the greatest extent possible, to establish a permit system to regulate water, beach and park use, to limit the size of vessels permitted to operate in the North Shore area, to establish rules for speed limits for vessels, and to establish rules for special areas and designated swimming areas.

Your Committee finds that the increase in visitor and resident populations and the proliferation of commercial operators offering windsurfing, scuba diving, snorkeling, riding on a variety of vessels, and other marine activities has created legitimate concern among North Shore residents. Your Committee further finds that the appropriate ad hoc committee's recommendations would take steps to address these concerns.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.C.R. No. 242 and recommends its adoption.

Signed by all members of the Committee except Representatives Fukunaga, Hiraki, Kanoho and Tajiri.

SCRep. 1388 Ocean and Marine Resources on H.C.R. No. 207

The purpose of this concurrent resolution is to request a study by the Department of Accounting and General Services on ensuring the availability and quality of maritime education in Hawaii, specifically referring to the Pacific Maritime Academy, Hawaii's only professional maritime training organization.

The importance of quality professional maritime training for adults and pre-employment training for high school students was recognized by the Department of Education and the University of Hawaii in supportive testimony.

Your Committee finds the Pacific Maritime Academy to be a vital part of Hawaii's employment training services, potentially making Hawaii a center of Pacific maritime education. Your Committee has amended this concurrent resolution to reflect the possibility of Hawaii becoming such a center.

The Pacific Maritime Academy offers training licensing, certification of Merchant Marine officers, motorboat, and other vessel operators, celestial navigation, marine diesel engineering, and radar endorsement. The only major constraint on the Academy is a lack of adequate facilities on or near the water.

The study requested by this concurrent resolution shall look at the sites available for construction of facilities to accommodate the Academy.

Your Committee has amended this concurrent resolution to include other suitable sites in addition of Snug Harbor, and to include, for consultation in the study, the Department of Transportation and the Pacific Maritime Academy.

Your Committee has also corrected a reference to the United States Coast Guard as approving the Academy, since the Department of Education approves it.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.C.R. No. 207, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 207, H.D. 1.

Signed by all members of the Committee except Representatives Fukunaga and Kanoho.

SCRep. 1389 Ocean and Marine Resources on H.C.R. No. 237

The purpose of this concurrent resolution is to recognize the outstanding accomplishment of the Hokule'a, a double-hulled voyaging canoe, by requesting that the Governor and the Mayors of Hawaii, Honolulu, Kauai and Maui proclaim May 1987 Hokule'a Month.

Your Committee finds that Hokule'a has made significant historical, scientific, educational, and cultural contributions through its Pacific voyages, reestablishing ties with Hawaii's Pacific Island cousins and promoting appreciation of the vast and impressive skills of Hawaii's ancestors.

Your Committee has amended a reference to the 16,000-mile "Voyage of Rediscovery" that was inadvertently reported as a 1600-mile journey. In addition, some technical, nonsubstantive amendments were made for purposes of style and clarity.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.C.R. No. 237, as amended herein, and recommends that it be adopted in the form attached hereto as H.C.R. No. 237, H.D. 1.

Signed by all members of the Committee except Representative Fukunaga.

SCRep. 1390 Ocean and Marine Resources on H.C.R. No. 225

The purpose of this concurrent resolution is to request that Hawaii's congressional delegation support the restoration of funding for the regional aquaculture center program in the United States Department of Agriculture.

Under the aquaculture center program, Hawaii was designated as the site for the regional center for tropical and subtropical species which will serve aquaculture development in Hawaii and the American Islands of the Pacific.

The center, which would be administrative rather than a physical facility, would encourage cooperative and collaborative aquaculture research and extension education programs. Currently, the Hawaii center is being organized according to U.S.D.A. guidelines.

The U.S.D.A. regional centers received a total start-up appropriation of \$3 million; however, no continuation of money is being requested by the Reagan Administration for the coming fiscal year.

The Department of Land and Natural Resources testified that the continuation of this regional program is important and that the department looks forward to actively participating in, organizing, and operating the Hawaii Regional Center in 1987.

The University of Hawaii also testified in favor of this concurrent resolution.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.C.R. No. 225 and recommends its adoption.

Signed by all members of the Committee except Representative Fukunaga.

SCRep. 1391 Ocean and Marine Resources on H.C.R. No. 238

The purpose of this concurrent resolution is to request a study by the University of Hawaii's Sea Grant Program on the feasibility of developing a Hawaii Oceanbook similar to The Oregon Oceanbook.

The Oregon Oceanbook, developed by the State of Oregon in 1985, is a comprehensive, illustrated text integrating basic oceanographic and research data which describes and characterizes Oregon's ocean for the interested public.

Your Committee finds that a "Hawaiian Oceanbook" could be used as an educational tool, increasing public awareness and providing valuable information to professionals and laymen.

Increased demand for energy, minerals, food, and growing technological capability, in addition to traditional ocean uses, has created a need for a publication that can integrate fundamental oceanographic concepts with basic research findings.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.C.R. No. 238 and recommends its adoption.

Signed by all members of the Committee except Representative Fukunaga.

SCRep. 1392 Planning, Energy and Environmental Protection on H.C.R.
No. 173

The purpose of this concurrent resolution is to: (1) request the Department of Health to test oil spill dispersants; and, (2) request the State Civil Defense to establish more efficient operating procedures in the event of an oil spill and to make recommendations on the storage of dispersants best suited for use in Hawaii.

Your Committee finds that several recent oil spills have brought light to the fact that the State of Hawaii is in need of a more effective program to deal with oil spills and the clean-up activities associated with these spills. Without the proper management, expertise and response procedures for dealing with accidental oil spills, future oil spills carry the potential to inflict serious damage to the environment as well as cause economic hardships to the people of the State.

While it fully concurs with the intent of this concurrent resolution, your Committee finds that the State Department of Health has recently been designated as the State's lead environmental agency and representative on the Region IX-Oceania Regional Response Team. In this regard, this concurrent resolution, including its title, has been amended by replacing each reference inappropriately tasking the "Department of Defense" with such responsibilities with reference to the "State Department of Health".

This concurrent resolution has been further amended by revising paragraphs 2 and 6 and by inserting paragraph 3, all of which appear on page 2 of this draft. These amendments have been made for accuracy and to more clearly reflect Hawaii's current emergency response agreement with the federal government.

Finally, your Committee has amended the final paragraph of this concurrent resolution by designating several more individuals to be recipients of this resolution.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of H.C.R. No. 173, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 173, H.D. 1.

Signed by all members of the Committee except Representatives Fukunaga, Kanoho, D. Ige and Tajiri.

SCRep. 1393 Planning, Energy and Environmental Protection on H.C.R.
No. 172

The purpose of this concurrent resolution is to ensure that the Pesticide Action Plans developed under Act 127-85, Pesticides and Environmental Quality, are implemented in a coordinated fashion and that the Legislature and interested parties are informed of the progress and needs required to implement the plans.

Your Committee finds that under Act 127-85, affected agencies and institutions such as the Department of Agriculture, Department of Health, Cooperative Extension Service, Honolulu Board of Water Supply and Farm Bureau have invested substantial time and resources into developing a consensus on numerous issues and problems relating to pesticides. Through the Technical Advisory Committee on Pesticides, final recommendations were developed and approved. In spite of the June 30, 1987 termination date of Act 127-85, these recommendations are the foundation for the development of Pesticide Action Plans.

Your Committee feels that these plans will require continued coordination between agencies and should serve as a broad context by which the State can measure improvements and progress in how pesticides are regulated in Hawaii. Your Committee further feels that OEQC can continue to facilitate the development and evolution of the Pesticide Action Plans by coordinating their revision and reporting to the Legislature on progress made under the plans. Also, OEQC should report to the 1988 Legislature with a coordinated outline of initiatives required to continue progress under the plans as determined by the affected agencies.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of H.C.R. No. 172 and recommends its adoption.

Signed by all members of the Committee except Representatives D. Ige, Kanoho and Tajiri.

SCRep. 1394 Planning, Energy and Environmental Protection on H.C.R.
No. 267

The purpose of this concurrent resolution is to request the Environmental Council to review the existing applicability categories of the State Environmental Impact Statement Law, Chapter 343, HRS, to determine the need for amendments to insure compliance with the State's environmental goals and objectives.

Your Committee finds that Article IX of the Constitution of the State of Hawaii guarantees Hawaii's citizens a clean and healthful environment in which to live and that Chapter 226, HRS, delineates the objectives and policies for the long-term protection and maintenance of Hawaii's fragile environment.

Chapter 343, HRS, was enacted to assure that environmental issues are considered in land use decision making. At the present time, formal environmental review, i.e. assessment, under Section 343-5, HRS, is limited to six categories of actions. Your Committee finds that there are proposed actions that do not fall within the six categories, but because of their specific nature and location are capable of producing significant environmental impacts. In some cases, the potential significance of these impacts has been recognized and specific legislation has been enacted to deal with these issues on a case-by-case basis. This approach is costly in terms of the time and effort required by the Legislature and affected agencies in reviewing and assessing individual projects.

Your Committee feels that the requested review of the categories that trigger environmental assessment procedures and the subsequent comprehensive report should aid not only in assuring that appropriate environmental review is undertaken responsive to the State's environmental goals and objectives, but also in facilitating the management process and avoiding unnecessary legislative actions.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of H.C.R. No. 267 and recommends its adoption.

Signed by all members of the Committee except Representatives Fukunaga, D. Ige, Kanoho and Tajiri.

SCRep. 1395 Agriculture on H.C.R. No. 248

The purpose of this concurrent resolution is to request that the Governor's appointed task force explore methods to prevent the closing of Waialua Sugar Company and to study Hawaii's sugar industry.

Your Committee finds that a broad-based, concerted, coordinated positive action plan is needed to assure that the State builds upon the new, efficient base of operations that the sugar industry has developed, to establish an overall political, social, and economic package that is viable and is in the best interests of the State and the nation.

Your Committee also finds that every possible effort must be expended to maintain Hawaii's sugar plantations and mills and the Waialua plantation and mill in particular. The economic and social impact of the closure of the Waialua plantation and mill upon Oahu's North Shore community, and the associated impacts upon the Waialua Sugar Company would be highly devastating.

Your Committee has amended the concurrent resolution to include that members of Hawaii's congressional delegation be forwarded certified copies of this resolution.

Your Committee on Agriculture concurs with the intent and purpose of H.C.R. No. 248, as amended herein, and recommends that it be referred to the Committee on Legislature Management, in the form attached hereto as H.C.R. No. 248, H.D. 1.

Signed by all members of the Committee except Representative Fukunaga.

SCRep. 1396 Agriculture on H.C.R. No. 183

The purpose of this concurrent resolution is to provide encouragement and support to Hawaii's congressional delegation as they work to persuade their

colleagues to reject the unnecessary and unsound proposal to reduce the price support level of sugar to 12 cents per pound.

Your Committee finds that Hawaii's congressional delegation has worked effectively, and continues to use every means available to maintain the sugar industry as an essential component of Hawaii's economic and social fabric. However, the delegation does need a strong, clear message from the people of Hawaii that their efforts are needed, appreciated and fully supported.

Your Committee also finds that even in the short run, U.S. consumers would benefit little from a reduction in price support. In the long run, a drop in the U.S. support price to 12 cents could lead to the demise of the U.S. sugar industry, leaving the United States at the mercy of a world sugar situation in which national controls on production, marketing, importing, and exporting, exclude any possibility of fair and free market trade.

Your Committee has amended the concurrent resolution to reflect the support and encouragement the people of the State of Hawaii extend to members of Hawaii's congressional delegation in their efforts to convince their colleagues to reject this unnecessary, drastic, and unsound proposal to reduce the price support of sugar to 12 cents per pound and drive Hawaii's sugar growers out of business.

Your Committee on Agriculture concurs with the intent and purpose of H.C.R. No. 183, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 183, H.D. 1.

Signed by all members of the Committee except Representative Fukunaga.

SCRep. 1397 Education and Legislative Management on H.C.R. No. 253

The purpose of this concurrent resolution is to request that the Legislative Auditor study the issue of federal impact aid.

The Department of Education and the Hawaii State Teachers Association testified in favor of this concurrent resolution.

Your Committees find that there should be a review of the role of federal impact aid in the funding of public education in Hawaii.

Your Committees on Education and Legislative Management concur with the intent and purpose of H.C.R. No. 253 and recommend its adoption.

Signed by all members of the Committees except Representatives Bunda, Shon, Taniguchi and Liu.

SCRep. 1398 Education and Legislative Management on H.C.R. No. 170

The purpose of this concurrent resolution is to request that the Legislative Auditor conduct a study on the Junior Police Officer (JPO) program.

The Department of Education (Department) testified against this concurrent resolution and recommended that the Legislature statutorily set the responsibilities of the Department of Education and the county police departments with respect to the JPO program and exempt persons involved in the JPO program from civil liability.

Your Committees find that the study requested in this concurrent resolution would assist the Legislature in deciding what statutory changes are needed in regard to the JPO program.

This concurrent resolution has been amended to request that the Department conduct the study in cooperation with the police departments of the counties and the Attorney General. The concurrent resolution has also been amended to request that the Department consider the question of liability.

Your Committees on Education and Legislative Management concur with the intent and purpose of H.C.R. No. 170, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 170, H.D. 1.

Signed by all members of the Committees except Representatives Bunda, Hashimoto, Shon, Taniguchi and Liu.

SCRep. 1399 Education and Legislative Management on H.C.R. No. 191
(Majority)

The purpose of this concurrent resolution is to request that the Legislative Auditor study the feasibility of offering the option to job sharing teachers near retirement in the Department of Education to contribute an amount to the retirement system based on their full-time salary, then receive a full year's credit toward retirement, and have their retirement benefits computed on the basis of their full-time salary.

The Department of Education has testified that it is aware of the concerns of job sharers nearing retirement age, and that a feasibility study could prove to be useful.

Your Committees are in agreement with the need for this study and the possible benefits of the job sharing program to both the employee and the employer by supporting the purpose of this concurrent resolution.

Your Committees on Education and Legislative Management concur with the intent and purpose of H.C.R. No. 191 and recommend its adoption.

Signed by all members of the Committees except Representatives Bunda, Hashimoto, Shon, Taniguchi and Liu.
(Representative Crozier did not concur.)

SCRep. 1400 Legislative Management on H.C.R. No. 2

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to formulate recommendations for the development of programs which would provide the financing mechanisms for consumers and producers of electricity to establish alternate energy and energy conservation technologies in Hawaii.

Your Committee finds that a major goal of the State is to reduce Hawaii's dependency on petroleum as its primary source of energy. Progress in the establishment of an alternate energy industry in Hawaii has not proceeded as rapidly as anticipated.

Your Committee further finds that in some areas of the United States, electric utilities have become a major source of financing for alternate energy and conservation improvements. These programs typically offer loans for energy conservation renovations or for the installation of energy efficiency equipment such as solar energy systems. These programs have been created because the cost of financing these improvements is less than the cost of building new plants to provide more electricity. Your Committee finds that the establishment of programs similar to these in Hawaii would provide benefits to individual consumers of electricity as well as to the alternate energy industry and the energy industry as a whole.

Your Committee has amended this concurrent resolution by making the State Public Utilities Commission jointly responsible for the study. Your Committee has also made nonsubstantive amendments.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 2, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 2, H.D. 1.

Signed by all members of the Committee except Representatives Alcon, Souki and Anderson.

SCRep. 1401 Legislative Management on H.C.R. No. 27

The purpose of this concurrent resolution is to request that the Legislative Reference Bureau and the Attorney General examine the need for maintaining two separate systems and to consider whether consolidating the two systems would result in financial savings. The concurrent resolution also requests the co-

operation of the Land Court and the Bureau of Conveyances for the study.

Currently, Chapter 501, HRS, provides for the registration of title to land through the Land Court. Chapter 502, HRS, provides for the recording of all instruments relating to real property through the Bureau of Conveyances.

The concurrent resolution received the support of the Department of Land and Natural Resources.

Your Committee amended the concurrent resolution to clarify its intent that the study consider the entire system of land ownership, rather than only the aspect of the recording of titles. Your Committee also made a technical, nonsubstantive amendment.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 27, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 27, H.D. 2.

Signed by all members of the Committee except Representatives Apo, Souki and Liu.

SCRep. 1402 Legislative Management on H.C.R. No. 12

The purpose of this concurrent resolution is to review the current use of private-appointed counsel in criminal cases involving conflicts and study the possible formation of a second public defender program. This concurrent resolution requests the Chief Justice of the Hawaii Supreme Court, the Dean of the William S. Richardson School of Law, the President of the Hawaii State Bar Association, and the Public Defender to each appoint one representative to an ad hoc committee to conduct the review and study.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 12 and recommends its adoption.

Signed by all members of the Committee except Representatives Souki and Liu.

SCRep. 1403 Legislative Management on H.C.R. No. 124

The purpose of this concurrent resolution is to request that the Legislative Reference Bureau prepare an action plan for Hawaii's sugar industry which would define the actions required to maintain the contribution of the industry to the State's economic and social well being.

Your Committee concurs with the findings of your Committee on Agriculture contained in House Standing Committee Report No. 1233. As the major agricultural enterprise in Hawaii, the sugar industry is facing an uncertain future. Your Committee believes that the development of an action plan is necessary to assist this industry continue its contribution to the State's economic health.

Your Committee has amended the title to more accurately reflect the contents of the concurrent resolution. Other amendments have been made in the "Be It Resolved" clauses for purposes of style and clarity.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 124, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 124, H.D. 2.

Signed by all members of the Committee except Representatives Souki and Liu.

SCRep. 1404 Legislative Management on H.C.R. No. 147

The purpose of this concurrent resolution is to ask the Legislative Reference Bureau (LRB) to conduct a study of problems facing small business in Hawaii and propose solutions for consideration by the Legislature. It also specifies several approaches to encouraging business growth for the Legislative Reference Bureau to consider.

Your Committee finds there are many factors which may potentially inhibit small business establishment and growth in Hawaii. Testimony supported this study as a means of assessing the impact of these factors and devising remedies for them.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 147, H.D. 1, and recommends its adoption

Signed by all members of the Committee except Representatives Souki and Liu.

SCRep. 1405 Legislative Management on H.R. No. 14

The purpose of this resolution is to request the Legislative Reference Bureau to formulate recommendations for the development of programs which would provide the financing mechanisms for consumers and producers of electricity to establish alternate energy and energy conservation technologies in Hawaii.

Your Committee finds that a major goal of the State is to reduce Hawaii's dependency on petroleum as its primary source of energy. Progress in the establishment of an alternate energy industry in Hawaii has not proceeded as rapidly as anticipated.

Your Committee further finds that in some areas of the United States, electric utilities have become a major source of financing for alternate energy and conservation improvements. These programs typically offer loans for energy conservation renovations or for the installation of energy efficiency equipment such as solar energy systems. These programs have been created because the cost of financing these improvements is less than the cost of building new plants to provide more electricity. Your Committee finds that the establishment of programs similar to these in Hawaii would provide benefits to individual consumers of electricity as well as to the alternate energy industry and the energy industry as a whole.

Your Committee has amended this resolution by making the State Public Utilities Commission jointly responsible for the study. Your Committee has also made nonsubstantive amendments.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 14, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 14, H.D. 1.

Signed by all members of the Committee except Representatives Alcon, Souki and Anderson.

SCRep. 1406 Judiciary on H.R. No. 173

The purpose of this resolution is to request the Traffic Violations Bureau of the Judiciary to evaluate and improve upon the process of parking tickets issued to jurors and witnesses.

People who perform jury duty as part of their civic obligation or provide testimony as witnesses in judicial proceedings are crucial to the smooth running of the judicial system. However, due to the uncertain length of the trial process, many jurors and witnesses have been subject to traffic tickets and fines for situations beyond their control.

Your Committee feels there is a need for an administrative mechanism to deal with this problem of parking citations received by jurors and witnesses as a result of their being required to fulfill a civic duty. This study would hopefully determine what types of citations should be handled administratively.

Your Committee concurs with the intent and purpose of H.R. No. 173 and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola, Hirono, Peters and Takamine.

SCRep. 1407 Judiciary on H.R. No. 97

The purpose of this resolution is to request the Hawaii Criminal Justice Commission to examine the effectiveness of the blood alcohol measuring interlock device in dealing with repeat offenders and to gather information regarding the use of these devices in other jurisdictions.

Drinking and driving have become factors in traffic fatalities as well as major accidents involving property damage in Hawaii. A more recent problem has been that of repeat offenders involved in major accidents claiming the lives of innocent victims.

Your Committee finds that all possible measures should be explored to intercept such repeat offenders before they do further damage to themselves and others. The Committee finds, therefore, that a study of the effectiveness of the blood alcohol measuring ignition interlock device in other jurisdictions is in order. It is hoped that this study will yield an indication as to whether the use of such a device should be made mandatory.

Your Committee concurs with the intent and purpose of H.R. No. 97 and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola, Hirono, Peters and Takamine.

SCRep. 1408 Judiciary on H.R. No. 393

The purpose of this resolution is to request the State Attorney General to review the policies and procedures of the Medicaid Fraud Unit.

Your Committee recognizes the necessary function performed by the Medicaid Fraud Unit. However severe complaints and criticisms from doctors and other health care providers have called into question the manner in which the unit performs its function.

Your Committee feels that a review of the Medicaid Fraud Unit's policies and procedures is necessary to investigate the complaints and criticisms.

Your Committee on Judiciary concurs with the intent and purpose of H.R. No. 393 and recommends its adoption.

Signed by all members of the Committee except Representatives Peters and Jones.

SCRep. 1409 Judiciary on H.R. No. 162

The purpose of this resolution is to request the Adult Probation Division of the First Circuit to conduct a study on the intensive surveillance programs of other states with a view toward implementing such a system in Hawaii.

Prison overcrowding is a continuing problem in Hawaii as well as nationwide. Any effective alternative to incarceration would have to meet strict standards and employ a foolproof method of monitoring the offender in the community. Intensive surveillance or supervision is one such alternative.

Your Committee feels that this alternative should be studied as a means to reduce prison overcrowding in hopes of lessening the attendant economic burden.

Your Committee on Judiciary concurs with the intent and purpose of H.R. No. 162 and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola, Hirono, Peters and Takamine.

SCRep. 1410 Water, Land Use, Development and Hawaiian Affairs on H.R. No. 276

The purpose of this resolution is to request the Department of Land and

Natural Resources to review its administration of Chapter 195 to be sure all endangered species are protected without regard to land ownership.

The Department of Land and Natural Resources pointed out certain inaccuracies in the resolution. The Hawaii Audubon Society and the Sierra Club submitted testimony in favor of the resolution. The Hawaii Audubon Society requested that fish and invertebrates be included in the scope of the resolution. It was also pointed out that even though the Department has recognized 79 species as being in jeopardy, it has not independently listed any on a State list and only a few have entered the State endangered species list by virtue of their being on the federal list of endangered species.

Your Committee has amended the resolution to correct inaccuracies and to include a recommendation that DLNR use information available from outside sources in developing a State endangered species list.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 276, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 276, H.D. 1.

Signed by all members of the Committee.

SCRep. 1411 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 269

The purpose of this resolution is to request the Department of Hawaiian Homes Lands to convene a study group to develop working plans to maximize the productivity and economic independence of the homesteaders.

Your Committee received testimony indicating the Extension Service has one person working on Molokai and that some studies have been done to help him prioritize his work. Both the Extension Service and the Department of Hawaiian Home Lands indicated that this study would be helpful. The DHHL indicated it expects such a study to take at least a year.

Your Committee has amended the resolution to extend the time required before reporting back to the Legislature and to ask DHHL to provide an interim report to the 1988 Legislature.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 269, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 269, H.D. 1.

Signed by all members of the Committee.

SCRep. 1412 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 209

The purpose of the resolution is to ask the Department of Land and Natural Resources to place a high priority on the planning, design and construction of a new irrigation system at the East Waioli River, Kauai.

The Department of Land and Natural Resources testified in favor of this resolution, indicating the first increment of the work is nearly complete and additional funding requests are being considered by the Legislature.

Your Committee has made minor non-substantive amendments.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. 209, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 209, H.D. 1.

Signed by all members of the Committee.

SCRep. 1413 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 275

The purpose of this resolution is to request the Department of Planning and

Economic Development to investigate the state of the art of geographic information systems, to survey user needs and to report on the feasibility of implementing a statewide geographic information system which could be utilized by interested agencies and organizations.

The University of Hawaii testified in favor of the resolution and indicated it has the only operational Geographic Information System (GIS) in the State. The Department of Planning and Economic Development supported the resolution and recommended that it be designated as the lead agency. The Sierra Club recommended an additional paragraph which would emphasize the need for the public and business to be able to utilize the system.

Your Committee has amended the resolution to recommend DPED as the lead agency; to request close cooperation with the University, the City & County of Honolulu and other counties, the Soil Conservation Service and other agencies which can actively use GIS; and to include a paragraph recognizing the need to provide for use by public and private organizations.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 275, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 275, H.D. 1.

Signed by all members of the Committee.

SCRep. 1414 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 435

The purpose of this resolution is set forth fully in the title.

Your Committee finds that small and medium size businesses in Hawaii provide over 90% of the private sector jobs, and businesses in Hawaii face many obstacles. One of the most severe problems is lack of available venture capital. California has had nine years experience with BIDCOS and finds they are extremely popular and successful. Their main advantage over banks is that they work with investor money rather than savers money; therefore, they are able to take greater risks than that which would be prudent for a bank. Experience indicates a minimum capitalization should be approximately \$2 million.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 435 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1415 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 364

The purpose of this resolution is to recognize the long term intent of a land owner to grow trees for a commercial purpose.

Your Committee finds there are justified concerns among land owners that environmental constraints may prevent them from harvesting a timber crop. This concern causes land owners to hesitate to invest in site preparation and tree planting. If establishment of a tree farm requires review of management plans by DLNR and if environmental concerns are considered by the Board during the review, then establishing a tree farm will provide recognition, by the Board of Land and Natural Resources of the owner's intent to grow and harvest trees.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 364 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1416 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 112

The purpose of this resolution is to request the University of Hawaii to examine the long range need for postsecondary education in West Hawaii and to work with the Department of Land and Natural Resources to select an appropriate site.

Your Committee finds such a study is needed, and that it is important to be sure to include all of West Hawaii in the study and to try to anticipate future growth trends. This Committee also finds that several private land owners may be willing to make suitable property available.

Your Committee has amended the resolution to assure that public and private property will be considered, and has made other non-substantive amendments.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 112, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 112, H.D. 1.

Signed by all members of the Committee.

SCRep. 1417 Planning, Energy and Environmental Protection on H.R. No.
377

The purpose of this resolution is to request the Natural Area Reserves System (NARS) Commission, in cooperation with the Department of Land and Natural Resources and consultation with interested private organizations, to develop a comprehensive plan for the management and funding for said management of the NARS.

Your Committee finds that Chapter 195, HRS, enacted in 1970, established the State NARS to protect important natural areas within the vast inventory of State lands. This reserve system protects thousands of uniquely Hawaiian species, provides ideal sites for research and outdoor education and, in many cases, guards vital watershed lands.

Your Committee further finds that most of these natural reserve areas are now suffering from serious management problems which threaten to permanently destroy or degrade the resources protected therein. In response to such threats, the Legislature is considering legislation to refine and improve the reserves system by making clearer the role of the NARS Commission and by granting additional powers and imposing additional duties upon the Department of Land and Natural Resources.

Your Committee feels that an up-to-date comprehensive management plan is needed to ensure optimal protection of the NARS reserves and to incorporate any new changes mandated by this years Legislature.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of H.R. No. 377 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1418 Planning, Energy and Environmental Protection on H.R. No.
205

The purpose of this resolution is to request the Department of Health (DOH) to work with the Environmental Protection Agency (EPA) to study the wet battery disposal problem with a view toward developing an interim solution for the proper treatment and disposal of such batteries.

Your Committee finds that, in the early 1980's, persons dealing in the treatment of spent or "wet" batteries were required to notify the federal EPA of their generation of hazardous waste and to apply for a permit to treat battery electrolytes in compliance with the guidelines for the handling, treatment, and disposal of hazardous waste under the federal Resource Conservation and Recovery Act (RCRA). At that time, the EPA exempted Hawaii's battery treatment facilities from the RCRA hazardous waste permit requirements on the basis that the electrolyte treatment would be based solely on corrosivity and would not involve toxicity.

Your Committee further finds that in 1985 the DOH found that residues were being discharged at levels considered toxic as a result of the treatment of battery electrolytes. Consequently, all battery treatment facilities in Hawaii were forced to stop accepting and treating wet batteries since their treatment activities were found to be no longer exempt from the RCRA hazardous waste permit require-

ments. With no treatment facilities available, automobile shops have been advised to store all wet batteries until a facility in Hawaii obtains a hazardous waste permit from the EPA, a complicated process that is expected to take at least fifteen months.

Your Committee feels that, as a result of these circumstances, automobile repair shops will be unnecessarily burdened with the responsibility of storing the wet batteries. Your Committee further feels that an interim solution is needed and that, as required, the DOH should work with the EPA to help alleviate this situation.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of H.R. No. 205 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1419 Planning, Energy and Environmental Protection on H.R. No.
376

The purpose of this resolution is to request the Director of the Department of Planning and Economic Development (DPED) to sponsor an international conference on major renewable energy systems in Hawaii during the summer of 1988.

Your Committee finds that the development of "high-tech" industries in Hawaii would stimulate economic diversification and be very beneficial to the State. Your Committee further finds that economic diversification has been an expressed goal of both the Legislature and the Administration.

Your Committee feels that in order to foster economic diversification through the development of high-tech industries it would be prudent to focus on technologies that have already been developed and ones which have shown great promise for development in Hawaii. Your Committee further finds that Hawaii is rich in alternative renewable energy resources which are becoming increasingly available for use under new or improved technologies.

Your Committee feels that the present status and potential of the many technologies being used in Hawaii to tap renewable energy systems make this State a world leader in this field and can serve as a magnet drawing additional high-tech industries to Hawaii.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of H.R. No. 376 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1420 Intergovernmental Relations on H.R. No. 339

The purpose of this resolution is to ask that a commission be established to examine the development of Kapolei, Ewa, as a second city and to recommend improvements or actions to accelerate activity in Kapolei.

In addition, this resolution provides for a report to be submitted to the Governor, Senate President, House Speaker, Council of the City and County of Honolulu, Board of Education, and the Estate of James Campbell at least 20 days prior to the convening of the Regular Session of 1988.

Your Committee received testimony from the Hawaii Housing Authority, the Department of Education, the Department of Housing and Community Development, and the Estate of James Campbell in support of this resolution. The testimony indicated that although there is support for the resolution that instead of appointing a commission that a task force would be more appropriate.

While in agreement with the intent of the resolution to provide for a Commission your Committee believes that a task force would be more appropriate. Your Committee has therefore amended the resolution to provide for a task force to examine the development of Kapolei as a second city. The title of the resolution has been changed to:

"Requesting a task force be established to examine the development of Kapolei as a second city".

Your Committee has further amended the resolution by changing the word "commission" to "task force" in the BE IT RESOLVED paragraphs.

Your Committee on Intergovernmental Relations concurs with the intent and purpose of H.R. No. 339, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 339, H.D.1.

Signed by all members of the Committee.

SCRep. 1421 Intergovernmental Relations on H.R. No. 356

The purpose of this resolution is to urge the Postmaster General to forego any intention of closing the Hakalau Post Office or the Paauhau Post on the Island of Hawaii. It seeks to provide assurances to the people in these communities that their postal service will be maintained at its present level.

In addition, this resolution urges members of the congressional delegation to do whatever they can to protect the interests of the people of Hakalau and Paauhau.

Your Committee heard testimony indicating that there was broad general support to keep the postal service as it is currently offered. Testimony also indicated that the postal services had tried a rural delivery system, but found that it was more cost effective to have a post office located in Hakalau and Paauhau. There is no home delivery as in the city. Rural residents have to go to the post office to pick up their mail.

Testimony in support of this resolution was received from Hakalau Senior Citizens, National Association of Letter Carriers, Councilman Russell Kokubun, and from the County Council of Hawaii. The resolution from the County Council of Hawaii requests that the U.S. Postal Service continue to maintain a U.S. Post Office in both Hakalau and Paauhau.

Your Committee on Intergovernmental Relations concurs with the intent and purpose of H.R. No. 356, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1422 Intergovernmental Relations on H.R. No. 30 (Majority)

The purpose of this resolution is to advise the Board of Land and Natural Resources of the firm position of the Legislature to keep "Old Government Road" at Diamond Head, Oahu, open to the public and to request the Board of Land and Natural Resources to take the necessary actions to prevent the sale or long term lease, of any portion of the "Old Government Road" at Diamond Head, Oahu, to any private landowner or for any non-public purpose.

In addition, this resolution reflects that transfer to the City and County of Honolulu is only one of several alternatives to preserving the public's rights to this property.

Your Committee finds that the State Supreme Court has determined that Old Government Road is a public right-of-way. The Attorney General of Hawaii has reaffirmed the finding that Old Government Road is the property of the State of Hawaii.

Further, your Committee strongly believes that public access to public beaches which are a vital recreation resource must be retained in public ownership for public recreational use.

Your Committee has amended the resolution by deleting the second resolve clause requesting the transfer of the Old Government Road to the City and County of Honolulu.

Your Committee has also made some technical, nonsubstantive amendments to the resolution for purpose of consistency and clarity.

Your Committee on Intergovernmental Relations concurs with the intent and purpose of H.R. No. 30, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 30, H.D. 2.

Signed by all members of the Committee except Representatives Jones and Marumoto.

(Representative Souki did not concur.)

SCRep. 1423 Intergovernmental Relations on H.R. No. 253

The purpose of this resolution is to urge the federal government to extend to France the opportunity of using American nuclear testing facilities such as the one located in Nevada.

While an end to nuclear weapons testing is desirable, such a drastic change in defense policies worldwide is highly unlikely in the near future. This resolution takes a small but significant step toward restricting widespread nuclear weapons testing by limiting the activities of France and the United States to one designated site. Such a policy would help improve our relations with South Pacific nations, possibly limit Soviet influence in the region, provide valuable protection to the fragile South Pacific environment, further the interests of world peace, and assist an important American ally.

France is a vital and long standing ally of the United States and is an integral part of the defense of Western Europe. Therefore, France must be assured that a viable alternative test site exists before it can reasonably be expected to consider relocating its current one.

Your Committee notes that Great Britain has already been offered the use of these testing facilities, and that many South Pacific nations are opposed to the current policy of the French government to utilize the South Pacific region to test its nuclear weapons.

For many years, France has been conducting nuclear tests in the South Pacific islands without the consent of the people. The tests, which have disrupted people's lives, should not continue. Moreover, it is important for the United States to maintain good relations with South Pacific nations not only to assist in their economic development and to preserve their political independence, but also to counter an increasing Soviet presence in the area, as evidenced by the growth of military forces and attempts to obtain fishing rights and other concessions from these nations.

As an island community strategically located in the Pacific and comprised of a multi-ethnic population tracing its roots to Polynesia and Asia, Hawaii should play a leading role in furthering improved relations between the United States and the Pacific Basin nations. Consequently, your Committee believes that the State of Hawaii should take the initiative to persuade the federal government to act favorably, together with one of its western allies, to protect the physical, emotional, and economic well-being of the South Pacific people.

Your Committee on Intergovernmental Relations concurs with the intent and purpose of H.R. No. 253, and recommends its adoption.

Signed by all members of the Committee except Representatives Tungpalan and Marumoto.

SCRep. 1424 Intergovernmental Relations on H.R. No. 258

The purpose of this resolution is to request the federal government to consider establishing a new federal administrative region for Hawaii, the Territories of American Samoa and Guam, the Commonwealth of the Northern Mariana Islands (collectively referred to as the American Flag Pacific Islands, or AFPI), and the newly created Freely Associated States comprised of the Republic of the Marshall Islands and the Federated States of Micronesia. A separate administrative region would improve the effectiveness, responsiveness, cultural sensitivity, and coordination of the various federal programs serving the Pacific Basin.

Under the present federal administrative structure, the AFPI and the Freely Associated States are served primarily from Region IX based in San Francisco, although a few programs are governed by Region X in Seattle.

Your Committee finds this arrangement to be less than satisfactory for several reasons. First, the problems and needs of the Pacific Basin are often evaluated in relation to the vastly different demands of California, Arizona, and Nevada. Second, the unique cultural, economic, political, and geographic factors which characterize the region are not well understood on the mainland. Third, federal managers based in Honolulu are not able to make decisions independently, and must act upon programs and initiatives which are developed in Washington, D.C., and then filtered through the respective regional offices. And fourth, the vast distance between the present regional offices and Hawaii and the other Pacific Islands periodically cause unacceptable execution delays. These factors interact and reduce the efficiency, effectiveness, and responsiveness of federal programs received in the Pacific Basin.

The Department of Planning and Economic Development and the executive director of the Pacific Basin Economic Development Council provided testimony in support of this resolution. Both discussed specific instances of federal programs being negatively affected by the existing region alignment. They stated that a separate federal administrative region for Hawaii and the other Pacific Islands would provide an excellent means for the United States to devote proper attention and resources to Pacific Basin issues, problems and concerns.

More specifically, it would enable the development and implementation of federal policies and programs to be shaped by the unique demands of the area. This would not only enhance program effectiveness, but would help to improve foreign relations with countries throughout the region, and could possibly expand foreign trade opportunities, while also reducing the likelihood of outside intervention in the Pacific Basin.

Your Committee on Intergovernmental Relations concurs with the intent and purpose of H.R. No. 258, and recommends its adoption.

Signed by all members of the Committee except Representatives Tungpalan and Marumoto.

SCRep. 1425 Health on H.R. No. 165

The purpose of this resolution is to request hearings be held by the House Committee on Health to investigate the extent of the apparent shortage of trained, working nurses in Hawaii.

Over the last few years there is more and more evidence that the supply of trained nurses working in our State does not meet the present demand. All indications are that this shortage will continue in virtually all areas where nurses are needed.

Your Committee received testimony in strong support of this resolution from all sectors of the health care arena. The Department of Health, the University of Hawaii, physicians, representatives from health care facilities, the Hawaii Nurses Association and many individual nurses provided overwhelming evidence that this issue is complex, statewide as well as national in scope and that the shortage is the result of many factors.

Your Committee believes that this problem cannot be solved without an active coordinated effort involving many people from all areas involved with nursing in Hawaii. To this end your Committee has reworded the title of the resolution to read "Requesting the House Health Committee to hold hearings and recommend measures to alleviate the shortage of nurses in Hawaii".

Your Committee has also amended the resolution to cite specific examples of the nurse shortage in the State, list some of the multiple factors causing the shortage of working nurses, and to refocus the intent of the resolution to include those areas identified in the testimony that are felt to be the critical links in the short-term and long-term solutions to the nursing shortage.

Your Committee on Health concurs with the intent and purpose of H.R. No. 165, as amended herein, and recommends its adoption in the form attached hereto

as H.R. No. 165, H.D. 1.

Signed by all members of the Committee except Representative Peters.

SCRep. 1426 Health on H.R. No. 199

The purpose of this resolution is to request that the State Department of Health submit an application to the United States Veterans Administration to determine the feasibility of establishing a veterans home at the old Hilo hospital and to submit a report to the Legislature on the actions of the Veterans Administration.

The veteran population of the State of Hawaii is estimated to be around 110,000, with about 12,000 residing on the Big Island. There is also a recognized need for domiciliary and intermediate care for veterans, including those residing on the island of Hawaii.

Your Committee received testimony in support of this resolution from the Department of Health, the Kokua Council for Senior Citizens (Founders Group) and a representative of the Hawaii State Veterans Council.

Your Committee finds that under federal regulations that federal funds, with some State matching needed, are available for the construction or renovation of government buildings to be used for a State Veterans' Home. The old Hilo hospital, now empty, is an appropriate candidate for such renovation. The first step in this process is a request from the Department of Health to the U.S. Office of Management and Budget and the Veterans Administration.

Your Committee on Health concurs with the intent and purpose of H.R. No. 199, and recommends its adoption.

Signed by all members of the Committee except Representative Ribellia.

SCRep. 1427 Health on H.R. No. 122

The purpose of this resolution is to request the Department of Health to conduct a study of the need for physical therapists who provide services to handicapped children in the public schools.

The U.S. Department of Labor reports that there is a nation-wide shortage of trained physical therapists and other reports indicate that the number of practitioners currently provides only 50 percent of the nation's needs. Hawaii is no exception. This shortage, felt especially hard in the public school system where these therapists provide services to handicapped children, carries over to other areas of care as well.

Your Committee received testimony in support of the intent of this resolution from the Department of Health, the Department of Education and the Department of Personnel Services. The emphasis of these presentations was that there have been studies in the past, and the State is well aware that this shortage exists. Suggestions were made as to how the resolution might be expanded and improved.

Your Committee finds that the shortage of trained therapists also includes occupational and recreational therapists, both in the public and private sectors. In all of these areas Hawaii has the added burden of not having an accredited training program for professional therapists in these categories.

Your Committee has amended the resolution by the following:

(1) Changing the title to read: "House Resolution Relating to the Shortage of Trained Physical, Occupational and Recreational Therapists Serving the Handicapped Children in the Public Schools and Other Treatment Areas in Hawaii",

(2) Expanding the list of areas for investigation to include incentives for keeping trained therapists in the public sector, having the Department of Health work closely with the Department of Personnel Services to review the feasibility of classifying these areas under shortage categories rates and other potential ways of reducing or eliminating the shortage of these professional therapists in Hawaii.

Your Committee on Health concurs with the intent and purpose of H.R. No.

122, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 122, H.D. 1.

Signed by all members of the Committee.

SCRep. 1428 Health on H.R. No. 18

The purpose of this resolution is to request the Healthcare Association (formally the Hospital Association) of Hawaii to report on the voluntary efforts of the hospitals in Hawaii to control costs.

Health care costs, including hospital costs, are the subject of much scrutiny and debate. These costs have increased dramatically over the years as the costs of medical technology, the healthcare workforce, and reimbursement mechanisms have also changed.

Health care planning laws, recent federal reimbursement program amendments, competition, and individual hospital voluntary efforts, among other things, have all contributed to cost-containment efforts. There are other innovative programs underway in Hawaii and across the nation that also will contribute to these cost-control efforts.

Your Committee received testimony from the Healthcare Association offering its support for this report as well as suggested amendments to the resolution.

Your Committee has amended the resolution to reflect the desire of the Legislature to better understand the issues which contribute to the increases in medical costs as well as to assess the efforts now underway, or possible, that will control these costs. The report is requested to include, but be limited to, an assessment of the DRG system in Hawaii, the effects of the changes in the federal reimbursement programs, specific problems which add to the increases in health care costs, and a description of how a modern healthcare facility makes and/or loses money under the current reimbursement mechanisms.

The resolution has also been amended to also request a report of these same concerns from the Department of Health County/State Hospital System.

Your Committee on Health concurs with the intent and purpose of H.R. No. 18, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 18, H.D. 1.

Signed by all members of the Committee.

SCRep. 1429 Education on H.R. No. 249

The purpose of this resolution is to ask the Department of Education to redraw school boundaries so as to preserve the integrity of neighborhoods.

Department of Education (Department) testimony requested deferral of this resolution pending the outcome of a joint review between the Department of Education and interested legislators.

Your Committee finds that community involvement in the schools is important and merits serious consideration by the Department of Education. The title and the language of this resolution has been amended to request that the Department consider redrawing school boundaries in order to preserve neighborhood integrity.

Your Committee has also made some technical, nonsubstantive amendments to the resolution for purposes of style and clarity.

Your Committee on Education concurs with the intent and purpose of H.R. No. 249, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 249, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Crozier, Shon and Taniguchi.

SCRep. 1430 Education on H.R. No. 282

The purpose of this resolution is to request that the Department of Education study the need, benefits, and costs of establishing half-time positions for student activities coordinators in all of the State's intermediate schools.

The Department of Education testified that this resolution is not needed because a special analytic study on the need for student activities coordinators in the intermediate schools has been completed. However, your Committee feels that an additional study is needed on whether these positions should be temporary or permanent. The title and the language of this resolution have been amended accordingly.

Your Committee on Education concurs with the intent and purpose of H.R. 282, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 282, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Crozier, Shon and Taniguchi.

SCRep. 1431 Housing and Community Development on H.R. No. 380

The purpose of this resolution is to request the Hawaii Housing Authority (HHA) to review and answer specific questions related to the conversion from leasehold to fee simple of property beneath condominiums and cooperative housing projects and to report its findings to the Legislature 20 days prior to the convening of the 1988 session.

Your Committee received considerable testimony on this resolution. Representatives from the HHA, the Bernice Pauahi Bishop Estate, the Trustees of the Castle Estate, the Hawaii Independent Condominium and Cooperative Owners Association, Inc., and the Hawaii Council of Associations of Apartment Owners all testified in favor of the resolution although some had reservations or recommended amendments. A number of owners of small lots testified against the measure.

Your Committee is cognizant of the competing interests involved in the conversion of leasehold land to fee for multi-unit dwellings which will allow owners of condominiums or cooperatives to purchase their share of the land. Those who currently own the land point to their right to retain ownership and to their economic reliance upon their continued ownership. Your Committee is specially concerned about owners of small lots who allowed developers to build condominiums or cooperatives on these lots as a part of the financial planning of a small family concern.

However, your Committee also understands the desire of persons to own the land upon which their home is situated even if they share their ownership with owners of other units on the same land.

Because of the recent interest of such conversion generated by recent court cases which upheld the Land Reform Act, your Committee feels that answers to the questions set forth in this measure must be available before an equitable solution may be found for this dilemma.

However, your Committee emphasizes that in addressing these questions all of the various interests must be represented. While the HHA has been designated as the agency who will research and write the report and draft proposed legislation, input from owners of large and small tracts of land must be considered as should the input from financial institutions which are or may become involved in this issue. Your Committee has amended this resolution to reflect this concern.

Your Committee has further amended this resolution by requesting the HHA to prepare and submit proposed legislation providing for the conversion of leasehold condominiums and cooperatives and to analyze the provisions of the proposed legislation to provide legislators with a complete review of the pros and cons of the various provisions.

Your Committee has also made technical, nonsubstantive amendments to the resolution for purposes of style and clarity.

Your Committee on Housing and Community Development concurs with the intent

and purpose of H.R. No. 380, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 380, H.D. 1.

Signed by all members of the Committee.

SCRep. 1432 Transportation on H.R. No. 336

The purpose of this resolution is to request the Department of Transportation, with the assistance of the High Technology Development Corporation, to study the feasibility of establishing anti-commuting telework centers on Oahu.

Oahu's major arterials connecting Windward, Leeward and Central Oahu with the Honolulu business district will continue to increase in severity as Oahu's population and workforce continues to grow. It is critical at this point in time to examine feasible, effective alternatives to deal with this anticipated traffic congestion problem.

Your Committee finds that one such alternative is an anti-commuting telework center. Anti-commuting telework centers can be established with minimal government capital involved, as the emphasis should come from the private sector to promote such programs.

Your Committee on Transportation is in accord with the intent and purpose of H.R. No. 336 and recommends its adoption.

Signed by all members of the Committee except Representatives Souki, Tungpalan and Yoshimura.

SCRep. 1433 Transportation on H.R. No. 431

The purpose of this resolution is to request the Department of Transportation to conduct a study to develop plans to improve the transportation access system to Leeward Community College and West Oahu College. This resolution also requests that the Department of Transportation submit a report of its findings and recommendations to the Legislature no later than twenty days prior to the convening of the 1988 Regular Session.

Your Committee finds that there is only one road, Alu Ike Street from Kamehameha Highway, that leads to both campuses. This physical limitation has led to the current traffic congestion during peak school hours which often times extends into Kamehameha Highway and the H-1 freeway. Of more significant concern is the potential problem which would be created if there was a need to provide for immediate evacuation of both campuses because of an emergency.

Your Committee believes that a study should be conducted to address the problems of the physical accessibility into Leeward Community and West Oahu Colleges.

Your Committee received favorable testimony from the Department of Transportation, Chancellor of UH-Hilo and West Oahu College, Chancellor for Community Colleges and others.

Your Committee on Transportation is in accord with the intent and purpose of H.R. No. 431 and recommends its adoption.

Signed by all members of the Committee except Representatives Souki, Yoshimura and Jones.

SCRep. 1434 Transportation on H.R. No. 322

The purpose of this resolution is to request the Department of Transportation to report on alternatives to the expansion of Pi'ilani Highway. The report should focus on costs, effectiveness of alleviating existing and future traffic pressures, and include a review of highway construction plans for East Maui.

Your Committee finds that rapid population growth in Upcountry Maui has led to increased use of Haleakala Highway, the only major route connecting Pukalani, Makawao and Kula with Central Maui, Kihei and West Maui. Your Committee

further finds that proposed plans for traffic needs of Upcountry Maui should be reviewed to be certain that it is current in its assessment of existing and future needs of known traffic flows.

Your Committee believes that a report should be done, especially since present trends for Pukalani and Makawao point towards continued population growth.

Your Committee received testimony from the Department of Transportation in favor of this resolution.

Your Committee on Transportation is in accord with the intent and purpose of H.R. No. 322 and recommends its adoption.

Signed by all members of the Committee except Representatives Souki, Tungpalan and Yoshimura.

SCRep. 1435 Transportation on H.R. No. 185

The purpose of this resolution is to request the counties to work in concert with the Hawaii Lions Eye Bank-Makana Foundation to provide encouragement and assistance to persons wishing to provide an organ donation by posting notices and signs at licensing bureaus informing interested persons about the program, to provide space in the licensing bureau for registration forms and informational brochures about the program, and, if feasible, to allow licensing personnel to witness the execution of registration forms by persons applying for driver's licenses.

Although a formal mechanism currently exists which permits the designation on an individual's driver's license of the desire of the individual to be an organ donor, few citizens are aware of this process due to the lack of publicity. Furthermore, while the need for transplantable organs and tissues continues to grow, availability has not kept up with demand. Your Committee believes that allowing the Hawaii Lions Eye Bank-Makana Foundation to have informational brochures and registration forms available to the public in the various driver's licensing stations throughout the State would benefit this critically needed program by reaching those people who may wish to register to donate their organs and tissues.

Your Committee finds that the Hawaii Lions Eye Bank-Makana Foundation is willing to cooperate with the various county licensing bureaus by providing the necessary posters and brochures and maintaining an adequate supply of registration forms with no cost incurred by the counties. However, this program should not create an additional burden for the various county licensing bureaus and thus should not involve county personnel in the witnessing of the filling and signing of registration forms. Your Committee has therefore amended this resolution to delete the request to allow county licensing personnel to witness the completion of registration forms.

Your Committee on Transportation is in accord with the intent and purpose of H.R. No. 185, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 185, H.D. 1.

Signed by all members of the Committee except Representatives Souki, Yoshimura and Jones.

SCRep. 1436 Transportation on H.R. No. 303

The purpose of this resolution is to request the Department of Transportation to investigate the hazardous situation occurring at the south intersection of Kunia Drive and Kunia Road, and to take the necessary steps to improve the safety of this intersection.

A hazardous situation exists at the south intersection of Kunia Drive and Kunia Road. This intersection is at the top of a hill where visibility is poor for drivers on either road in all directions. This creates a dangerous situation for motorists and pedestrians. Kunia Drive also serves as a main thoroughfare for the residents of Kunia Village, and, with the anticipated increase in population in this area, should increase the amount of traffic and add to the already dangerous situation.

The Department of Transportation testified in favor of this resolution.

Your Committee on Transportation is in accord with the intent and purpose of H.R. No. 303 and recommends its adoption.

Signed by all members of the Committee except Representatives Souki, Tungpalan and Yoshimura.

SCRep. 1437 Ocean and Marine Resources on H.R. No. 234

The purpose of this resolution is to support the proposed submarine tours by Atlantis Submarines, Inc. and its successful implementation on a timely basis.

Your Committee finds that submarine tours would serve to diversify and strengthen Hawaii's economic base in support of the State's major industry, tourism. This is in line with the State General Plan.

The proposed submarine tours could make great strides toward marine literacy, a necessity in order for Hawaii's people to make informed decisions regarding wide use of one of our most precious resources, the ocean.

An underwater vehicle would provide an ideal means for teaching coral ecology, volcanic geology, and ocean physics, as well as providing first-hand experience for the adventurous and not-so-adventurous.

The possibility of constructing submarines in the State was also discussed by your Committee, with respect to the additional jobs and income created by such action. However, due to the state-of-the-art technology required, this would be a long-term goal. In the short term, however, the submarine tour operations are expected to generate support crew, clerical, and marketing positions.

Your Committee expressed concern that legislative support be given to submarine tours in general, rather than to Atlantis Submarines, Inc. exclusively. To this end, your Committee has amended the title of this resolution to delete reference to Atlantis Submarines, Inc.

Your Committee has also shifted three paragraphs describing the suitability of submarine tours for the State to the beginning of the resolution to lend greater emphasis to the idea of submarine tours in general, rather than focus only on Atlantis Submarines, Inc.

Your Committee has retained the content of the resolution which refers specifically to Atlantis Submarines, Inc., as this is the first submarine tour group to seek an ocean lease, and as such is supported by your Committee.

Your Committee has, however, resolved to support submarine tour groups in general and encourage expedition of the permit process for such groups.

In addition, the Department of Land and Natural Resources testified that it is the function of the various permit reviews and hearings conducted by the department to determine whether the proposed submarine operations are compatible with existing policies and statutes. Therefore, your Committee has amended the second Whereas clause on page 4 by changing the word "are" to "appear" to remove any suggestion that the matter is being prejudged for the Land Board, which makes that determination.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.R. No. 234, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 234, H.D. 1.

Signed by all members of the Committee.

SCRep. 1438 Ocean and Marine Resources on H.R. No. 11

The purpose of this resolution is to affirm Hawaii's commitment to attaining shared management with the federal government in the more than 600,000 square miles of the Exclusive Economic Zone which surrounds the Hawaiian Islands.

Your Committee finds that every facet of life in our State is tied to the ocean.

To a greater degree than any other state, our life and livelihood depend on it.

In order to maintain the unique lifestyle developed by all of Hawaii's people and to expand economic activities, the State must be able to continue to utilize all of its resources.

Your Committee further finds that Hawaii must be a full participant in decision-making related to EEZ activities that could have a major impact on the State, such as those involving long-term use of fixed ocean sites, direct linkages with the shore, and oceanside demands and risks.

Your Committee has amended the title of this resolution to include the words "United States" to distinguish it from the EEZ's of other nations as follows: "HOUSE RESOLUTION DECLARING HAWAII'S COMMITMENT TO ATTAIN AN EFFECTIVE, SHARED MANAGEMENT ROLE WITH THE FEDERAL GOVERNMENT IN THE UNITED STATES EXCLUSIVE ECONOMIC ZONE."

In addition, your Committee has made other substantive amendments to this resolution upon the recommendation of the Department of Planning and Economic Development. These amendments are as follows:

a. The first WHEREAS clause has been modified to eliminate the apparent distinction between ownership and control within the EEZ.

b. The second WHEREAS clause has been changed to a more general statement, implying the inclusiveness of all EEZ resources and activities, as well as the exclusive role of the federal government in controlling or managing these resources.

c. Three new WHEREAS clauses have been added following the second WHEREAS clause. These deal with generic considerations regarding development impacts, ocean environments and the law.

d. Finally, the list of State activities already undertaken within the Hawaiian EEZ has been updated. The State's participation in the joint Federal-State Task Force for ocean mining of manganese crusts in waters surrounding Hawaii and Johnston Island and in the Coastal States Organization's efforts to unify coastal states in achieving an effective EEZ management role have been added to the tenth WHEREAS clause.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.R. No. 11, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 11, H.D. 1.

Signed by all members of the Committee.

SCRep. 1439 Ocean and Marine Resources on H.R. No. 243

The purpose of this resolution is to request Hawaii's congressional delegation to support programs to control plastic and net pollution in the ocean.

Your Committee finds that long-lasting plastic debris is a hazard to sea craft. Additionally, such debris entangle, strangle, and are indigestible to aquatic life that eat them.

Your Committee has amended this resolution to urge State agencies, specifically the Department of Transportation, the Department of Health, and the Department of Land and Natural Resources to control plastic and net pollution through information, education, and regulation.

Your Committee has added a paragraph to specify that certified copies of this resolution be transmitted to Hawaii's congressional delegation and to the directors of certain State agencies for the following reasons: (1) to the Department of Transportation because plastic debris are dumped from ships at sea; (2) to the Department of Health because of the water pollution resulting from such plastic and net debris; and (3) to the Department of Land and Natural Resources because of their concern with ocean resources.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.R. No. 243, as amended herein, and recommends its adoption in the

form attached hereto as H.R. No. 243, H.D. 1.

Signed by all members of the Committee.

SCRep. 1440 Labor and Public Employment on H.C.R. No. 4

The purpose of this concurrent resolution is to request the Industrial Relations Center at the University of Hawaii, in consultation with the State Department of Labor and Industrial Relations, the East West Center, the State Employment and Training Council, and the Commission on Manpower and Full Employment to prepare a report identifying the groups of individuals most susceptible to economic job dislocation due to industrial shut-downs or closings, and to recommend a preliminary contingency plan for the prompt replacement of jobs for these groups of individuals.

Your Committee finds that this type of employee dislocation will continue to grow in the future because of changes within major industries which are often brought about by the industries' high sensitivity to national and international economic fluctuations so common today.

Without help from the State, many of these workers, left without jobs because of a shutdown and because of lack of training for any other job, will be unable to find employment and will become dependent upon the State.

Establishment of a contingency plan for prompt replacement of jobs will enable these employees to continue working or at least to expend their job-seeking efforts in areas where jobs are available.

Your Committee on Labor and Public Employment is in accord with the intent and purpose of this H.C.R. No. 4 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1441 Transportation on H.R. No. 100

The purpose of this resolution is to request the Department of Transportation to formulate recommendations for a pedestrian safety plan for certain hazardous sections of Kalanianaʻole Highway.

As the major corridor linking Hawaii Kai, Nui Valley, Aina Haina, and Waialae Iki with central Honolulu, Kalanianaʻole Highway is heavily utilized daily by up to 4000 cars an hour. This creates hazardous traffic conditions for pedestrians, joggers, and bike riders, especially along sections of Kalanianaʻole Highway which lack sidewalks or sufficient shoulder areas. This dangerous situation has led to numerous traffic accidents, culminating in five fatalities in the last 14 months.

Your Committee believes that there is a need for an interim safety plan to enhance pedestrian safety for certain hazardous sections of Kalanianaʻole Highway while work begins on the widening project, which is anticipated to take a minimum of eight years to complete.

Your Committee has amended the title and purpose of this resolution to request the Department of Transportation to develop an interim pedestrian safety plan for Kalanianaʻole Highway. This resolution has also been amended to request the Director of Transportation to report its findings and recommendations to the Legislature twenty days prior to the convening of the Regular Session of 1988. This resolution has been further amended to replace all references to "Kal" Highway with the proper name of Kalanianaʻole Highway, and to require that a certified copy of this resolution also be transmitted to Neighborhood Board #1.

Your Committee on Transportation is in accord with the intent and purpose of H.R. No. 100, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 100, H.D. 1.

Signed by all members of the Committee except Representative Yoshimura.

SCRep. 1442 Education and Legislative Management on H.R. No. 102

The purpose of this resolution is to request that the Legislative Reference Bureau evaluate the present system of electing the Board of Education and recommend a proposal or proposals for reforming the electoral process.

The Board of Education testified against this resolution and indicated that the present structure with members running from two at-large districts, seven with district residential requirements and six without such requirements, is working well in providing a good mix of representation.

Your Committees find that the large number of candidates in the Board of Education election may inhibit news coverage of the election resulting in many voters being unfamiliar with the candidates and their views on educational policies. This resolution has been amended to request that your Committee on Education hold interim hearings on the electoral process of the Board of Education in order to develop a proposal or proposals which would ensure greater voter participation in the election.

Your Committees on Education and Legislative Management concur with the intent and purpose of H.R. No. 102, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 102, H.D. 1.

Signed by all members of the Committees except Representatives Bunda, Shon, Taniguchi and Liu.

SCRep. 1443 Ocean and Marine Resources on H.R. No. 400

The purpose of this resolution is to recognize the outstanding accomplishment of the Hokule'a, a double-hulled voyaging canoe, by requesting that the Governor and the Mayors of Hawaii, Honolulu, Kauai and Maui proclaim May 1987 Hokule'a Month.

Your Committee finds that Hokule'a has made significant historical, scientific, educational, and cultural contributions through its Pacific voyages, reestablishing ties with Hawaii's Pacific Island cousins and promoting appreciation of the vast and impressive skills of Hawaii's ancestors.

Your Committee has amended a reference to the 16,000-mile "Voyage of Rediscovery" that was inadvertently reported as a 1600-mile journey. In addition, some technical, nonsubstantive amendments were made for purposes of style and clarity.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.R. No. 400, as amended herein, and recommends that it be adopted in the form attached hereto as H.R. No. 400, H.D. 1.

Signed by all members of the Committee except Representative Fukunaga.

SCRep. 1444 Education and Legislative Management on H.R. No. 281

The purpose of this resolution is to request that the Legislative Reference Bureau study the Department of Education's procedures and criteria in the identification of special education students, the criteria used by the diagnostic teams in determining the certification of special education students, and the difficulties encountered in attracting and maintaining qualified special services evaluation personnel.

The Department of Education (Department) testified that it is willing to cooperate with the Legislative Reference Bureau and that it is concerned about the requirements of and compliance with State and federal special education laws. Furthermore, the Department recognizes that restrictive guidelines have hampered services not only to special education students, but regular education students who have special needs.

The Department of Health testified that under Section 301-327, Hawaii Revised Statutes, the Department of Health is responsible for the related services for exceptional children and that with increased demands and limited resources, a study of the procedures and certification criteria is warranted to ensure maximum

benefit to these children.

The Hawaii State Teachers Association also testified in favor of this resolution.

Your Committees find that unclear and inconsistently applied certification criteria, lack of timely evaluation, high turnover in evaluation personnel, and scarcity of trained professional evaluators, contribute to the difficulties addressed in the resolution.

Your Committees on Education and Legislative Management concur with the intent and purpose of H.R. No. 281 and recommend its adoption.

Signed by all members of the Committees except Representatives Bunda, Shon, Taniguchi and Liu.

SCRep. 1445 Transportation on H.R. No. 438

The purpose of this resolution is to request the Department of Transportation to review the existing Waimea bypass road plan and consider an alternate alignment which will not adversely impact Hawaiian Home Lands' development of agricultural lands. The Department of Transportation is requested to work with the County of Hawaii, the Department of Hawaiian Home Lands, the Waimea-Kawaihae Community Association and others to expedite this review.

Your Committee finds that the present plans for the Waimea, Island of Hawaii, bypass road alignment goes through the most valuable agricultural lands of the Hawaiian Home Lands Commission. The Hawaiian Homes Act of 1920, as ruled by the Hawaii Supreme Court, cannot put public projects above the trust purpose of enabling beneficiaries to use the lands for homesteading. The currently proposed bypass road alignment would require that negotiations with existing Hawaiian Homes lessees be conducted. This may lead to prolonged negotiations which will delay construction of the Waimea bypass road when construction funds are appropriated.

Therefore your Committee believes that the Department of Transportation should determine an alternate alignment for this highway that will have minimal impact on Hawaiian Home Lands. The Hawaiian Homes Commission has expressed its willingness to work with the Department of Transportation in its review.

Your Committee received favorable testimony from the Department of Transportation, Department of Hawaiian Home Lands, Kona-Kohala Chamber of Commerce and others.

Your Committee has amended the resolution to delete paragraph seven because the bypass road is funded in the Multi-Year Program and Financial Plan and Executive Budget for the Period 1987-1993.

Your Committee on Transportation is in accord with the intent and purpose of H.R. No. 438, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 438, H.D. 1.

Signed by all members of the Committee except Representatives Souki, Tungpalan and Yoshimura.

SCRep. 1446 Transportation on H.R. No. 332

The purpose of this resolution is to urge the Police Departments of each county to increase their efforts in enforcing the requirements of Section 291-35.1, Hawaii Revised Statutes, which specify the maximum bumper heights for vehicles operated upon the public highways of the State.

Your Committee finds that there are many reconstructed vehicles being operated on the public highways of the State which have bumpers that exceed the maximum height limitations as specified in Section 291-35.1, Hawaii Revised Statutes. Some of the vehicles have not been certified as reconstructed vehicles or have been further modified after receipt of reconstruction certification.

Your Committee believes that public safety is severely compromised by allowing non-compliance of the maximum bumper height restrictions. As safety of the

public and all operators, passengers, and others on our public highways is of highest concern, the State should seek to assure compliance of safety rules at all times.

Your Committee on Transportation is in accord with the intent and purpose of H.R. No. 332 and recommends its adoption.

Signed by all members of the Committee except Representatives Souki and Yoshimura.

SCRep. 1447 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 172

The purpose of this resolution is to clarify the intent of the Legislature with respect to the Diamond Head State monument, to assure that no tennis facility is built on Diamond Head's outer slopes.

Your Committee received strongly divided testimony regarding the future use of the monument grounds. Everyone agreed the exterior of the crater should be protected from any further development. They want the present exterior appearance of Diamond Head protected, and a proposed tennis facility barred.

Strong difference of opinion was expressed over the use of the interior of the crater. There was agreement that the present hiking uses on and to the crater rim are appropriate, but use of the crater floor is in contention. Your Committee received testimony supporting a golf course and equally strong testimony supporting continued passive use of the crater.

Golfers objected to the term "passive public recreational activities" and favored eliminating the word "passive" from the resolution. The Outdoor Circle, The Save Diamond Head Association, Historic Hawaii and the West Diamond Head Community Association took the position that the word "passive" is essential to the meaning and intent of the resolution.

Your Committee finds that this resolution should be directed specifically to the exterior of the Diamond Head State monument and to the proposed tennis courts. The use of the word "passive" confuses this intent and therefore your Committee has amended the resolution to eliminate references to "passive recreation". Your Committee believes the master plan for Diamond Head State monument clearly states what uses and developments are appropriate and that the plan deserves support. Changes to the plan will require a comprehensive planning review including full public participation. In the meantime, the tennis facility poses an immediate threat to the monument and should be eliminated.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 172, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 172, H.D. 1..

Signed by all members of the Committee except Representatives Fukunaga, Honda, D. Ige, Kanoho, Tajiri and Isbell.

SCRep. 1448 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 210

The purpose of this resolution is fully explained by the title.

The Department of Land and Natural Resources (DLNR) indicated it could do the baseline study of the Hanalei River estuary using department funds, and would do the additional work when it could be accommodated along with other department priorities.

Your Committee has amended the resolution to give DLNR an extra year to do the studies and has made non-substantive amendments.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 210, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 210, H.D. 1.

Signed by all members of the Committee.

SCRep. 1449 Transportation on H.R. No. 309 (Majority)

The purpose of this resolution is to request the Department of Transportation to conduct a new feasibility study of the construction of an interchange on the H-1 freeway at Kaonohi Street.

Your Committee finds that Aiea, Aiea Heights, Waimalu, Pearl Ridge, Waiau, Newtown, Pearl City, Momilani, and Pacific Palisades are among the fastest growing urban areas in the State. There is currently only two Ewa-bound exits from the State highway system that serves approximately 72,000 residents.

Your Committee believes that the Department of Transportation's cost-benefit study conducted in 1984 regarding a complete interchange in the Kaonohi Street vicinity may no longer reflect current conditions in the area. A new study may indicate that an interchange at this location is warranted.

Your Committee has amended the resolution to clarify that the interchange would include an on and off ramp at the location. Your Committee further amended the resolution to clarify that the Department of Transportation's cost-benefit study conducted in 1984 may not have considered the recent population increases in the study.

Your Committee also made amendments to the resolution to delete several paragraphs for purposes of style and clarity.

Your Committee on Transportation is in accord with the intent and purpose of H.R. No. 309, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 309, H.D. 1.

Signed by all members of the Committee except Representatives Souki and Yoshimura.
(Representative Tungpalan did not concur.)

SCRep. 1450 Ocean and Marine Resources on H.R. No. 345

The purpose of this resolution is to request a study by the Department of Accounting and General Services on ensuring the availability and quality of maritime education in Hawaii, specifically referring to the Pacific Maritime Academy, Hawaii's only professional maritime training organization.

The importance of quality professional maritime training for adults and pre-employment training for high school students was recognized by the Department of Education and the University of Hawaii in supportive testimony.

Your Committee finds the Pacific Maritime Academy to be a vital part of Hawaii's employment training services, potentially making Hawaii a center of Pacific maritime education. Your Committee has amended this resolution to reflect the possibility of Hawaii becoming such a center.

The Pacific Maritime Academy offers training licensing, certification of Merchant Marine officers, motorboat, and other vessel operators, celestial navigation, marine diesel engineering, and radar endorsement. The only major constraint on the Academy is a lack of adequate facilities on or near the water.

The study requested by this resolution shall look at the sites available for construction of facilities to accommodate the Academy.

Your Committee has amended this resolution to include other suitable sites in addition of Snug Harbor, and to include, for consultation in the study, the Department of Transportation and the Pacific Maritime Academy.

Your Committee has also corrected a reference to the United States Coast Guard as approving the Academy, since the Department of Education approves it.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.R. No. 345, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 345, H.D. 1.

Signed by all members of the Committee except Representatives Fukunaga and Kanoho.

SCRep. 1451 Ocean and Marine Resources on H.R. No. 401

The purpose of this resolution is to request a study by the University of Hawaii's Sea Grant Program on the feasibility of developing a Hawaii Oceanbook similar to The Oregon Oceanbook.

The Oregon Oceanbook, developed by the State of Oregon in 1985, is a comprehensive, illustrated text integrating basic oceanographic and research data which describes and characterizes Oregon's ocean for the interested public.

Your Committee finds that a "Hawaiian Oceanbook" could be used as an educational tool, increasing public awareness and providing valuable information to professionals and laymen.

Increased demand for energy, minerals, food, and growing technological capability, in addition to traditional ocean uses, has created a need for a publication that can integrate fundamental oceanographic concepts with basic research findings.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.R. No. 401 and recommends its adoption.

Signed by all members of the Committee except Representatives Fukunaga and Kanoho.

SCRep. 1452 Legislative Management on H.R. No. 21

The purpose of this resolution is to review the current use of private-appointed counsel in criminal cases involving conflicts and study the possible formation of a second public defender program. This resolution requests the Chief Justice of the Hawaii Supreme Court, the Dean of the William S. Richardson School of Law, the President of the Hawaii State Bar Association, and the Public Defender to each appoint one representative to an ad hoc committee to conduct the review and study.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 21 and recommends its adoption.

Signed by all members of the Committee except Representatives Apo, Souki and Liu.

SCRep. 1453 Planning, Energy and Environmental Protection on H.R. No. 432

The purpose of this resolution is to request the Environmental Council to review the existing applicability categories of the State Environmental Impact Statement Law, Chapter 343, HRS, to determine the need for amendments to insure compliance with the State's environmental goals and objectives.

Your Committee finds that Article IX of the Constitution of the State of Hawaii guarantees Hawaii's citizens a clean and healthful environment in which to live and that Chapter 226, HRS, delineates the objectives and policies for the longterm protection and maintenance of Hawaii's fragile environment.

Chapter 343, HRS, was enacted to assure that environmental issues are considered in land use decision making. At the present time, formal environmental review, i.e. assessment, under Section 343-5, HRS, is limited to six categories of actions. Your Committee finds that there are proposed actions that do not fall within the six categories, but because of their specific nature and location are capable of producing significant environmental impacts. In some cases, the potential significance of these impacts has been recognized and specific legislation has been enacted to deal with these issues on a case-by-case basis. This approach is costly in terms of the time and effort required by the Legislature and affected agencies in reviewing and assessing individual projects.

Your Committee feels that the requested review of the categories that trigger environmental assessment procedures and the subsequent comprehensive report should aid not only in assuring that appropriate environmental review is undertaken responsive to the State's environmental goals and objectives, but also in facilitating the management process and avoiding unnecessary legislative actions.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of H.R. No. 432 and recommends its adoption.

Signed by all members of the Committee except Representatives Fukunaga, D. Ige, Kanoho and Tajiri.

SCRep. 1454 Tourism on H.R. No. 272

The purpose of this resolution is to request the Department of Planning and Economic Development to conduct a study on the feasibility of sponsoring a hot air balloon to represent Hawaii in an international hot air balloon festival in Australia and the effects of such an event on Hawaii's tourism industry.

In 1988, Australia will celebrate its Bicentennial. A number of very special events have been officially endorsed by the Australian government for this occasion. One of them is a major balloon gathering which will be among the most significant international aviation events held in that year, and as such should receive major media coverage.

The Hawaii Visitors Bureau has identified Australia as one of the fastest growing tourism markets for the State of Hawaii. Therefore, your Committee finds that the presence of a Hawaii entry in one of Australia's major Bicentennial events cannot help but contribute to the further development of that market, i.e., the opportunity to promote growth in this market with Australian and international media coverage of a Hawaii balloon should be considered.

Your Committee on Tourism concurs with the intent and purpose of H.R. No. 272 and recommends its adoption.

Signed by all members of the Committee except Representative Tungpalan.

SCRep. 1455 Labor and Public Employment on H.R. No. 120

The purpose of this resolution is to request the Industrial Relations Center at the University of Hawaii, in consultation with the State Department of Labor and Industrial Relations, the East-West Center, the State Employment and Training Council, and the Commission on Manpower and Full Employment to prepare a report identifying the groups of individuals most susceptible to economic job dislocation due to industrial shut-downs or closings, and to recommend a preliminary contingency plan for the prompt replacement of jobs for these groups of individuals.

Your Committee finds that this type of employee dislocation will continue to grow in the future because of changes within major industries which are often brought about by the industries' high sensitivity to national and international economic fluctuations so common today.

Without help from the State, many of these workers, left without jobs because of a shutdown and because of lack of training for any other job, will be unable to find employment and will become dependent upon the State.

Establishment of a contingency plan for prompt replacement of jobs will enable these employees to continue working or at least to expend their job-seeking efforts in areas where jobs are available.

Your Committee on Labor and Public Employment is in accord with the intent and purpose of H.R. No. 120 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1456 Human Services on H.R. No. 398

The purpose of this resolution is to establish a philosophy of corrections for Hawaii. The guiding corrections philosophy for the State would be to increase public safety by preparing offenders for crime-free existence after release from prison.

Your Committee heard testimony in support of this resolution stressing the need

for the articulation of a philosophy to guide planning and decision-making for Hawaii's correctional system.

Your Committee finds from testimony presented that merely warehousing prisoners does not adequately provide for public safety. Virtually all prisoners, most lacking job skills, will be released back into the community again, and this time with the double handicap of lack of skills and a prison record, they will pose an even greater threat to public safety than before they were imprisoned. Programs aimed at assisting offenders in the process of reintegration into the community, however, are an effective means of reducing recidivism.

Your Committee believes that a correctional philosophy should address itself to increasing the likelihood that those persons who leave the corrections system and return to society will become law-abiding, productive members of our community. This can best be achieved by ensuring that the State's correctional philosophy specifies that the corrections system increase public safety by preparing offenders for crime-free existence after release from prison, and that our State's correctional planning and decision-making reflect this philosophy.

Your Committee has amended this resolution in the sixth "WHEREAS" clause by deleting the words "the majority of" and inserting "a considerable number of" in lieu thereof and by correcting typographical errors.

Your Committee on Human Services concurs with the intent and purpose of H.R. No. 398, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 398, H.D. 1.

Signed by all members of the Committee except Representatives M. Ige, Peters and Tom.

SCRep. 1457 Tourism on H.R. No. 289

The purpose of this resolution is request that the Department of Planning and Economic Development (DPED), together with the Hawaiian Golf Association and other appropriate agencies, prepare a study informing the Legislature of the actions or activities necessary to increase the number of golf tournaments held in Hawaii.

Your Committee received testimony from the Department of Planning and Economic Development strongly in favor of this resolution. DPED stated that it had contracted for a master plan for the continued development of Hawaii as a sports center. DPED continued that, among other things, this plan noted that golf has had a long history in Hawaii. The first golf course was the Moanalua Golf Course which opened in 1898. Today there are a total of 56 courses in the State. Interest in golfing has steadily increased and some estimates indicate that between 12,000 and 20,000 rounds of golf are played by residents and visitors per month. Visitors alone spend over \$30 million a year on green fees and golf cart rentals at our 19 resort courses.

DPED further stated that it is reviewing the recommendations of the sports plan and has made efforts to investigate ways to continue and expand sports industry development in Hawaii. Your Committee finds that attracting golf tournaments is consistent with these efforts.

Your Committee on Tourism concurs with the intent and purpose of H.R. No. 289 and recommends its adoption.

Signed by all members of the Committee except Representative Tungpalan.

SCRep. 1458 Intergovernmental Relations on H.R. No. 384

The purpose of this resolution is to increase access to governmental services by recommending changes to present working hours.

Your Committee finds that public access to many necessary services is currently limited by present State and County governmental office hours. Request to change license and permit office hours of the State of Hawaii and the City and County of Honolulu is warranted in order to maximize the opportunity for citizens to receive these governmental services.

Your Committee heard testimony in support of the intent to this resolution from the City and County of Honolulu and from the State Department of Health.

Your Committee changed the title of the House Resolution to read:

"HOUSE RESOLUTION URGING THE STATE OF HAWAII AND THE CITY AND COUNTY OF HONOLULU TO EXPAND CERTAIN PUBLIC SERVICES TO INCLUDE EVENING HOURS AND SATURDAYS"

Based on this testimony, your Committee has amended this resolution to urge investigation and consideration into the feasibility of changing hours rather than the implementation of a pilot program. This change will allow more flexibility to the State and County to address the problem and make recommendations. Your Committee has also made non-substantive amendments.

Your Committee on Intergovernmental Relations concurs with the intent and purpose of H.R. No. 384, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 384, H.D. 1.

Signed by all members of the Committee except Representatives Horita, Ihara, Souki, Taniguchi and Tungpalan.

SCRep. 1459 Transportation on H.R. No. 24

The purpose of this resolution is to urge the United States Department of Transportation to ban smoking on U.S. airlines.

Your Committee believes there is a definite need to address the issue of cigarette smoke in commercial airplanes. Currently, due to the recirculation of air in commercial airplanes, all passengers and employees are forced to breathe passive, or side-stream, cigarette smoke during flights. Research has repeatedly shown that side-stream cigarette smoke is deleterious to the health of those exposed to it.

Your Committee finds that there are presently no federal standards regarding air quality in airplane passenger cabins, and believes that the United States Department of Transportation should implement measures to enable airline passengers to travel in an environment free from the hazards of passive smoke.

Your Committee has therefore amended the title and purpose of this resolution to urge the United States Department of Transportation to implement measures to enable airline passengers to travel in an environment free from the hazards of passive smoke. Your Committee has also amended this resolution to suggest that establishment of federal regulations for air filtration systems be considered to insure that all harmful elements of "passive smoke" are removed from the air prior to recirculation, and that a federal initiative for airlines to offer periodic "smokeless flights" also be considered.

This resolution has been further amended to require certified copies of this resolution to be transmitted to the United States Senate and House of Representatives.

Your Committee on Transportation is in accord with the intent and purpose of H.R. No. 24, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 24, H.D. 1.

Signed by all members of the Committee except Representative Yoshimura.

SCRep. 1460 Agriculture on H.R. No. 411

The purpose of this resolution is to request that the Governor's appointed task force explore methods to prevent the closing of Waialua Sugar Company and to study Hawaii's sugar industry.

Your Committee finds that a broad-based, concerted, coordinated positive action plan is needed to assure that the State builds upon the new, efficient base of operations that the sugar industry has developed, to establish an overall political, social, and economic package that is viable and is in the best interests of the State and the nation.

Your Committee also finds that every possible effort must be expended to maintain Hawaii's sugar plantations and mills and the Waialua plantation and mill in particular. The economic and social impact of the closure of the Waialua plantation and mill upon Oahu's North Shore community, and the associated impacts upon the Waialua Sugar Company would be highly devastating.

Your Committee has amended the resolution to include that members of Hawaii's congressional delegation be forwarded certified copies of this resolution.

Your Committee on Agriculture concurs with the intent and purpose of H.R. No. 411, as amended herein, and recommends that it be referred to the Committee on Legislative Management, in the form attached hereto as H.R. No. 411, H.D. 1.

Signed by all members of the Committee except Representative Fukunaga.

SCRep. 1461 Agriculture on H.R. No. 305

The purpose of this resolution is to provide encouragement and support to Hawaii's congressional delegation as they work to persuade their colleagues to reject the unnecessary and unsound proposal to reduce the price support level of sugar to 12 cents per pound.

Your Committee finds that Hawaii's congressional delegation has worked effectively, and continues to use every means available to maintain the sugar industry as an essential component of Hawaii's economic and social fabric. However, the delegation does need a strong, clear message from the people of Hawaii that their efforts are needed, appreciated and fully supported.

Your Committee also finds that even in the short run, U.S. consumers would benefit little from a reduction in price support. In the long run, a drop in the U.S. support price to 12 cents could lead to the demise of the U.S. sugar industry, leaving the United States at the mercy of a world sugar situation in which national controls on production, marketing, importing, and exporting, exclude any possibility of fair and free market trade.

Your Committee has amended the resolution to reflect the support and encouragement the people of the State of Hawaii extend to members of Hawaii's congressional delegation in their efforts to convince their colleagues to reject this unnecessary, drastic, and unsound proposal to reduce the price support of sugar to 12 cents per pound and drive Hawaii's sugar growers out of business.

Your Committee on Agriculture concurs with the intent and purpose of H.R. No. 305, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 305, H.D. 1.

Signed by all members of the Committee except Representative Fukunaga.

SCRep. 1462 Legislative Management on H.R. No. 47

The purpose of this resolution is to request that the Legislative Reference Bureau and the Attorney General examine the need for maintaining two separate systems and to consider whether consolidating the two systems would result in financial savings. The resolution also requests the cooperation of the Land Court and the Bureau of Conveyances for the study.

Currently, Chapter 501, HRS, provides for the registration of title to land through the Land Court. Chapter 502, HRS, provides for the recording of all instruments relating to real property through the Bureau of Conveyances.

The resolution received the support of the Department of Land and Natural Resources.

Your Committee amended the resolution to clarify its intent that the study consider the entire system of land ownership, rather than only the aspect of the recording of titles. Your Committee also made a technical, nonsubstantive amendment.

Your Committee on Legislative Management concurs with the intent and purpose

of H.R. No. 47, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 47, H.D. 2.

Signed by all members of the Committee except Representatives Souki and Liu.

SCRep. 1463 Legislative Management on H.R. No. 260

The purpose of this resolution is to ask the Legislative Reference Bureau (LRB) to conduct a study of problems facing small business in Hawaii and propose solutions for consideration by the Legislature. It also specifies several approaches to encouraging business growth for the Legislative Reference Bureau to consider.

Your Committee finds there are many factors which may potentially inhibit small business establishment and growth in Hawaii. Testimony supported this study as a means of assessing the impact of these factors and devising remedies for them.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 260, H.D. 1, and recommends its adoption

Signed by all members of the Committee except Representatives Souki and Liu.

SCRep. 1464 Legislative Management on H.R. No. 216

The purpose of this resolution is to request that the Legislative Reference Bureau prepare an action plan for Hawaii's sugar industry which would define the actions required to maintain the contribution of the industry to the State's economic and social well being.

Your Committee concurs with the findings of your Committee on Agriculture contained in House Standing Committee Report No. 1233. As the major agricultural enterprise in Hawaii, the sugar industry is facing an uncertain future. Your Committee believes that the development of an action plan is necessary to assist this industry continue its contribution to the State's economic health.

Your Committee has amended the title to more accurately reflect the contents of the resolution. Other amendments have been made in the "Be It Resolved" clauses for purposes of style and clarity.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 216, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 216, H.D. 2.

Signed by all members of the Committee except Representatives Souki and Liu.

SCRep. 1465 Planning, Energy and Environmental Protection on H.R. No.
288

The purpose of this resolution is to: (1) request the Department of Health to test oil spill dispersants; and, (2) request the State Civil Defense to establish more efficient operating procedures in the event of an oil spill and to make recommendations on the storage of dispersants best suited for use in Hawaii.

Your Committee finds that several recent oil spills have brought light to the fact that the State of Hawaii is in need of a more effective program to deal with oil spills and the clean-up activities associated with these spills. Without the proper management, expertise and response procedures for dealing with accidental oil spills, future oil spills carry the potential to inflict serious damage to the environment as well as cause economic hardships to the people of the State.

While it fully concurs with the intent of this resolution, your Committee finds that the State Department of Health has recently been designated as the State's lead environmental agency and representative on the Region IX-Oceania Regional Response Team. In this regard, this resolution, including its title, has been amended by replacing each reference inappropriately tasking the "Department of

Defense" with such responsibilities with reference to the "State Department of Health".

This resolution has been further amended by revising paragraphs 2 and 6 and by inserting paragraph 3, all of which appear of page 2 of this draft. These amendments have been made for accuracy and to more clearly reflect Hawaii's current emergency response agreement with the federal government.

Finally, your Committee has amended the final paragraph of this resolution by designating several more individuals to be recipients of this resolution.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of H.R. No. 288, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 288, H.D. 1.

Signed by all members of the Committee except Representatives Fukunaga, D. Ige, Kanoho and Tajiri.

SCRep. 1466 Planning, Energy and Environmental Protection on H.R. No. 287

The purpose of this resolution is to ensure that the Pesticide Action Plans developed under Act 127-85, Pesticides and Environmental Quality, are implemented in a coordinated fashion and that the Legislature and interested parties are informed of the progress and needs required to implement the plans.

Your Committee finds that under Act 127-85, affected agencies and institutions such as the Department of Agriculture, Department of Health, Cooperative Extension Service, Honolulu Board of Water Supply and Farm Bureau have invested substantial time and resources into developing a consensus on numerous issues and problems relating to pesticides. Through the Technical Advisory Committee on Pesticides, final recommendations were developed and approved. In spite of the June 30, 1987 termination date of Act 127-85, these recommendations are the foundation for the development of Pesticide Action Plans.

Your Committee feels that these plans will require continued coordination between agencies and should serve as a broad context by which the State can measure improvements and progress in how pesticides are regulated in Hawaii. Your Committee further feels that OEQC can continue to facilitate the development and evolution of the Pesticide Action Plans by coordinating their revision and reporting to the Legislature on progress made under the plans. Also, OEQC should report to the 1988 Legislature with a coordinated outline of initiatives required to continue progress under the plans as determined by the affected agencies.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of H.R. No. 287 and recommends its adoption.

Signed by all members of the Committee except Representatives D. Ige, Kanoho and Tajiri.

SCRep. 1467 Water, Land Use, Development and Hawaiian Affairs on H.R. No. 397

The purpose of this resolution is to request the Governor to proclaim 1988 as the year of telecommunications in the State of Hawaii.

Your Committee finds that telecommunications is a primary high technology niche industry for Hawaii and one that is important to the development of other high technology activity throughout the State. This proclamation can focus attention upon the growing importance of telecommunications in our State's economic plans.

Representatives from the Department of Planning and Economic Development, Department of Budget and Finance, High Technology Development Corporation and private industries testified strongly in favor of this resolution.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 397 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1468 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 420

The purpose of this resolution is to direct the High Technology Development Corporation to work with all telecommunications carriers serving Hawaii to ensure that this State take every advantage of the possibilities offered by the 1988 California to Hawaii fiber-optic undersea cable installation to enable Hawaii to become the hub for trans-Pacific telecommunications traffic.

Your Committee on Water, Land Use, Development and Hawaiian Affairs recognizes the critical importance of a modern, efficient, and cost effective telecommunications infrastructure for the economic development and well being of the State of Hawaii.

This resolution directs the High Technology Development Corporation to identify the legal and economic incentives needed to promote the growth of telecommunications infrastructure.

Your Committee on Water, Land Use, Development and Hawaiian Affairs has amended this resolution to focus upon an effort to encourage and attract private investment in information-based industries which will create employment, produce growth in telecommunications usage and services, and encourage diversity in telecommunications technology, thus assuring Hawaii's role as the center for telecommunications in the Pacific.

Technical, nonsubstantive amendments were also made for purposes of style and clarity.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 420, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 420, H.D. 1.

Signed by all members of the Committee.

SCRep. 1469 Planning, Energy and Environmental Protection on H.C.R.
No. 223

The purpose of this concurrent resolution is to request the Public Utilities Commission to discuss and study the prospects of developing least-cost planning programs for the State's electric utilities.

Your Committee finds that several states on the mainland have adopted a "least-cost planning" approach to minimize the cost of electrical services to their consumers. This approach to utility service planning insures both environmental as well as economic benefits to the community.

Your Committee has amended this concurrent resolution by requesting that the discussion and review of least-cost planning take place during a seminar-workshop sponsored by the Department of Planning and Economic Development scheduled for May 1987 rather than the June 1987 workshop sponsored by the Public Utilities Commission. Your Committee finds that this seminar-workshop specifically includes least-cost planning as a part of its agenda.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of H.C.R. No. 223, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 223, H.D. 1.

Signed by all members of the Committee except Representatives Hashimoto and Say.

SCRep. 1470 Transportation on H.R. No. 250

The purpose of this resolution is to request the State Department of Transportation to survey, designate, and mark a reasonable right-of-way from Kalaniana'ole Highway to the property known as "Saddle City" to allow for the construction of an improved road. This resolution also requests that the right-of-way surveyed satisfy City and County of Honolulu road or street standards, that a written estimate for the plans for construction be prepared, and that a report of the survey and written estimate be submitted to the Legislature.

At the present time, the residents of "Saddle City" lack an improved road for ingress and egress to their homes, which has resulted in their being denied adequate ambulance, fire, police, postal, and refuse collection services. However, your Committee finds that the actions requested by this resolution of the Department of Transportation (DOT) are not within the scope of the DOT's jurisdiction, as DOT funds can only be expended for work on the State Highway System and not on private roadways.

Your Committee further finds that the Department of Land and Natural Resources is not adverse to granting access easement to these landlocked property owners. However, the grantees of such an access easement would have to bear the cost of improving and maintaining the roadway, which is of serious concern to your Committee. In order to utilize public funds, rather than property owners' funds, to improve and maintain this roadway, the roadway would have to be reclassified from private to public, and would most appropriately fall under the jurisdiction of the City and County of Honolulu.

As the land currently occupied by the roadway is owned by the State, the State would have to grant the City and County of Honolulu an easement to this particular strip of land before it could be developed into a county road. Your Committee has therefore amended this resolution to replace the requests for actions by the State Department of Transportation with a request of the Department of Land and Natural Resources to offer a permanent easement to the City and County of Honolulu for the purpose of constructing a county roadway from Kalanianaʻole Highway to "Saddle City", Waimanalo, Oahu.

Your Committee also amended the title of the resolution to reflect the above change, and deleted the Director of Transportation as a recipient of a certified copy of the resolution.

Your Committee on Transportation is in accord with the intent and purpose of H.R. No. 250, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 250, H.D. 1.

Signed by all members of the Committee except Representatives Horita and Ihara.

SCRep. 1471

Transportation on H.C.R. No. 142

The purpose of this concurrent resolution is to request the State Department of Transportation to survey, designate, and mark a reasonable right-of-way from Kalanianaʻole Highway to the property known as "Saddle City" to allow for the construction of an improved road. This concurrent resolution also requests that the right-of-way surveyed satisfy City and County of Honolulu road or street standards, that a written estimate for the plans for construction be prepared, and that a report of the survey and written estimate be submitted to the Legislature.

At the present time, the residents of "Saddle City" lack an improved road for ingress and egress to their homes, which has resulted in their being denied adequate ambulance, fire, police, postal, and refuse collection services. However, your Committee finds that the actions requested by this concurrent resolution of the Department of Transportation (DOT) are not within the scope of the DOT's jurisdiction, as DOT funds can only be expended for work on the State Highway System and not on private roadways.

Your Committee further finds that the Department of Land and Natural Resources is not adverse to granting access easement to these landlocked property owners. However, the grantees of such an access easement would have to bear the cost of improving and maintaining the roadway, which is of serious concern to your Committee. In order to utilize public funds, rather than property owners' funds, to improve and maintain this roadway, the roadway would have to be reclassified from private to public, and would most appropriately fall under the jurisdiction of the City and County of Honolulu.

As the land currently occupied by the roadway is owned by the State, the State would have to grant the City and County of Honolulu an easement to this particular strip of land before it could be developed into a county road. Your Committee has therefore amended this concurrent resolution to replace the requests for actions by the State Department of Transportation with a request of

the Department of Land and Natural Resources to offer a permanent easement to the City and County of Honolulu for the purpose of constructing a county roadway from Kalanianaʻole Highway to "Saddle City", Waimanalo, Oahu.

Your Committee also amended the title of the concurrent resolution to reflect the above change, and deleted the Director of Transportation as a recipient of a certified copy of the concurrent resolution.

Your Committee on Transportation is in accord with the intent and purpose of H.C.R. No. 142, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 142, H.D. 1

Signed by all members of the Committee except Representatives Horita and Ihara.

SCRep. 1472 Health on H.R. No. 274

The purpose of this resolution is to request the Mental Health Unit of the Department of Health to study alternate sites for relocating the Adolescent Unit, which is currently at the Hawaii State Hospital.

Your Committee received testimony in support of this resolution from the Department of Health, the Office of Children and Youth, and the Mental Health Association of Hawaii. Testimony indicated that a relocation of the Adolescent Unit can accomplish the following:

- (1) Reduce overcrowding;
- (2) Allow for the separation of chronically mentally ill adolescents from juvenile delinquents;
- (3) Facilitate accessibility for adolescent patients and their families; and
- (4) Minimize the stigma of a State Hospital admission that could negatively impact the adolescents for the rest of their lives.

Testimony also indicated that the scope of the proposed study should be expanded to include a review of inappropriate admissions to the Adolescent Unit and a review of conditions resulting in individuals remaining in the unit on a long-term basis because suitable alternative placements are not available to receive them. Your Committee amended the resolution to reflect these concerns.

The resolution was also amended to direct the Department of Education to report on the availability of the School for the Deaf and Blind. Finally, to ensure sufficient time following the study to make appropriate recommendations in the budgetary process, the resolution was amended to advance the reporting date to September 1, 1987.

Your Committee on Health concurs with the intent and purpose of H.R. No. 274, as amended herein, and recommends its adoption in the form attached as H.R. No. 274, H.D. 1.

Signed by all members of the Committee except Representative Peters.

SCRep. 1473 Health on H.C.R. No. 161

The purpose of this concurrent resolution is to request the Mental Health Unit of the Department of Health to study alternate sites for relocating the Adolescent Unit, which is currently at the Hawaii State Hospital.

Your Committee received testimony in support of this concurrent resolution from the Department of Health, the Office of Children and Youth, and the Mental Health Association of Hawaii. Testimony indicated that a relocation of the Adolescent Unit can accomplish the following:

- (1) Reduce overcrowding;
- (2) Allow for the separation of chronically mentally ill adolescents from juvenile delinquents;

(3) Facilitate accessibility for adolescent patients and their families; and

(4) Minimize the stigma of a State Hospital admission that could negatively impact the adolescents for the rest of their lives.

Testimony also indicated that the scope of the proposed study should be expanded to include a review of inappropriate admissions to the Adolescent Unit and a review of conditions resulting in individuals remaining in the unit on a long-term basis because suitable alternative placements are not available to receive them. Your Committee amended the concurrent resolution to reflect these concerns.

The concurrent resolution was also amended to direct the Department of Education, as the appropriate agency, to report on the availability of the School for the Deaf and Blind. Finally, to ensure sufficient time following the study to make appropriate recommendations in the budgetary process, the concurrent resolution was amended to advance the reporting date to September 1, 1987.

Your Committee on Health concurs with the intent and purpose of H.C.R. No. 161, as amended herein, and recommends its adoption in the form attached as H.C.R. No. 161, H.D. 1.

Signed by all members of the Committee except Representative Peters.

SCRep. 1474

Health on H.R. No. 388

The purpose of this resolution is to continue to study the problems associated with the medically indigent and underinsured population in Hawaii. The resolution also requests the Department of Health to investigate the reasons behind the recent decrease in Medicaid recipients in light of the increase of the overall population of Hawaii.

The problems associated with indigent care and other categories of our population who constitute "gap groups" with respect to Hawaii's prepaid health care programs are multiple and complex. These problems include, but are not limited to, identifying the numbers of individuals affected and the types of services which might be needed, the costs to health care facilities in providing uncompensated care, and how the need for health services is interrelated with Medicaid eligibility and other public assistance programs.

Your Committee received testimony in support of this Resolution from the Department of Health, Department of Social Services and Housing, the Healthcare Association, the Hawaii Nurses Association, and representatives of the School of Public Health and Kokua Council for Senior Citizens.

Your Committee has amended the resolution to include the Department of Social Services and Housing and "other professional organizations whose members provide health care to this population" to work with the Department of Health in the continued study of the medical indigency problem in Hawaii. The resolution was also amended to include the other data collection and analysis areas of the Department of Health which might provide additional insight into the scope and size of the indigent and uninsured population. Additional organizations were also added to the transmittal list.

Your Committee on Health concurs with the intent and purpose of H.R. No. 388, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 388, H.D. 1.

Signed by all members of the Committee except Representative Peters.

SCRep. 1475

Health on H.C.R. No. 232

The purpose of this concurrent resolution is to continue to study the problems associated with the medically indigent and underinsured population in Hawaii. The concurrent resolution also requests the Department of Health to investigate the reasons behind the recent decrease in Medicaid recipients in light of the increase of the overall population of Hawaii.

The problems associated with indigent care and other categories of our popula-

tion who constitute "gap groups" with respect to Hawaii's prepaid health care programs are multiple and complex. These problems include, but are not limited to, identifying the numbers of individuals affected and the types of services which might be needed, the costs to health care facilities in providing uncompensated care, and how the need for health services is interrelated with Medicaid eligibility and other public assistance programs.

Your Committee received testimony in support of this concurrent resolution from the Department of Health, Department of Social Services and Housing, the Healthcare Association, the Hawaii Nurses Association, and representatives of the School of Public Health and Kokua Council for Senior Citizens.

Your Committee has amended the concurrent resolution to include the Department of Social Services and Housing and "other professional organizations whose members provide health care to this population" to work with the Department of Health in the continued study of the medical indigency problem in Hawaii. The concurrent resolution was also amended to include the other data collection and analysis areas of the Department of Health which might provide additional insight into the scope and size of the indigent and uninsured population. Additional organizations were also added to the transmittal list.

Your Committee on Health concurs with the intent and purpose of H.C.R. No. 232, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 232, H.D. 1.

Signed by all members of the Committee except Representative Peters.

SCRep. 1476 Health on H.R. No. 389

The purpose of this resolution is to request the Department of Health to research and report back to the Legislature on the extent of public health and safety problems associated with Pit Bull dog attacks on people in Hawaii. Because only the most serious attacks are reported by the media, it is not known at this time what the scope of the problem is with regard to dog attacks. It is known that Hawaii has a steadily growing population of Pit Bull and part Pit Bull dogs, which have been bred over centuries to be used in ring-fighting, hunting and protection. The Pit Bull breed is known to be particularly unpredictable and savage in its attacks on people and other animals.

Your Committee received testimony in support on this resolution from the Department of Health. Oral testimony was also received favoring the resolution from a Kokua Council for Senior Citizens representative, who described an unprovoked attack on a public street by a Pit Bull dog on an elderly woman who required subsequent hospitalization and months of recovery.

Your Committee has amended the resolution to incorporate the issue of liability with regard to the ownership of such a dog, as well as to look at what other states are doing to address the issue of dog-owner responsibility in the event of a serious or fatal dog attack. The title of the resolution was also amended to reflect this change.

Your Committee on Health concurs with the intent and purpose of H.R. No. 389, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 389, H.D. 1.

Signed by all members of the Committee except Representative Peters.

SCRep. 1477 Ocean and Marine Resources on H.R. No. 373

The purpose of this resolution is to request that Hawaii's congressional delegation support the restoration of funding for the regional aquaculture center program in the United States Department of Agriculture.

Under the aquaculture center program, Hawaii was designated as the site for the regional center for tropical and subtropical species which will serve aquaculture development in Hawaii and the American Islands of the Pacific.

The center, which would be administrative rather than a physical facility, would encourage cooperative and collaborative aquaculture research and extension educa-

tion programs. Currently, the Hawaii center is being organized according to U.S.D.A. guidelines.

The U.S.D.A. regional centers received a total start-up appropriation of \$3 million; however, no continuation of money is being requested by the Reagan Administration for the coming fiscal year.

The Department of Land and Natural Resources testified that the continuation of this regional program is important and that the department looks forward to actively participating in, organizing, and operating the Hawaii Regional Center in 1987.

The University of Hawaii also testified in favor of this resolution.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.R. No. 373 and recommends its adoption.

Signed by all members of the Committee except Representative Fukunaga.

SCRep. 1478 Agriculture and Water, Land Use, Development and Hawaiian
Affairs on H.R. No. 327

The purpose of this resolution is to request that the Department of Agriculture and the Department of Planning and Economic Development conduct a study, in cooperation with the College of Tropical Agriculture and Human Resources, University of Hawaii at Manoa, in order to determine the feasibility of producing herbs, spices, deciduous fruits, avocados, and jojoba beans in the State of Hawaii. The departments are to submit their findings and recommendations to the Legislature prior to the Regular Session of 1988.

Your Committees find that although the Department of Agriculture concurs with the purpose of this resolution, it lacks the resources needed to conduct the study. The Chairperson of the Department of Agriculture testified that the department's proposed budget for fiscal year 1987-88 lacks the available funds and the professional expertise needed to conduct such a study.

Your Committees also find that the College of Tropical Agriculture and Human Resources has conducted research on many of the crops covered by this resolution and also has the agricultural economists and botanists that can conduct the requested study. In 1986, the college published, "A Profile of Economic Plants" for Hawaii, which summarized information on 1,163 crops as the first, essential step in identifying those crops with the greatest economic and biological potential as commercial crops in Hawaii. In addition, the college has developed the Hawaii Natural Resource Information System through which the environmental conditions occurring on every 20-acre parcel in Hawaii be matched with the ecological requirements of crops.

Your Committees further find that it is therefore reasonable to designate the College of Tropical Agriculture and Human Resources as the lead agency in this project, and has amended the resolution as such. Your Committees have also amended the resolution by changing the title to: REQUESTING A PROGRESS REPORT ON STUDIES TO DEFINE THE ECOLOGICAL AND ECONOMIC VIABILITY OF ALTERNATIVE CROPS FOR HAWAII.

Your Committees have further amended the resolution to state that the study include but not be limited to the production of herbs and spices, deciduous fruits, avocados, and jojoba beans in the State of Hawaii.

Your Committees on Agriculture and Water, Land Use, Development and Hawaiian Affairs concur with the intent and purpose of H.R. No. 327, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 327, H.D. 1.

Signed by all members of the Committees.

SCRep. 1479 Agriculture on H.R. No. 440

The purpose of this resolution is to request that the Chairperson of the Board of Agriculture with the assistance of the Chairperson of the Board of Land and

Natural Resources investigate the feasibility of biological control of fountain grass and to submit a report of subsequent findings to the Legislature.

Your Committee received testimony in support of this resolution from the Chairperson of the Board of Agriculture, the Dean of the College of Tropical Agriculture and Human Resources, University of Hawaii at Manoa, and the Chairperson of the Board of Land and Natural Resources.

Your Committee finds that fountain grass is designated a noxious weed in Hawaii and control efforts by the Department of Agriculture are currently confined to known incipient infestations in Wailuku, Maui; Honolulu; and along the main highways near Honokaa and Kahuku on Hawaii.

Your Committee also finds that fountain grass has the potential of occupying dry areas throughout the State, and has absolutely no forage value in dry areas. It becomes a serious fire hazard in areas it infests, and it threatens Hawaii's ecosystem.

Your Committee further finds that in ranching areas of Hawaii, fountain grass is brought under control through managed intensive grazing. At high stocking rates, the cattle break down the large tufts of older, tough, dead tissues and gain access to young leaves which they find palatable, which altogether represents a form of biological control. However, the Department of Agriculture with the assistance of the College of Tropical Agriculture and Human Resources, University of Hawaii at Manoa, will investigate the suitability of using parasitic fungi and other biological control mechanisms to control fountain grass. Also addressed will be the need for host specificity studies of these organisms due to the close relationship of fountain grass to sugarcane, corn, and other economical important grasses grown in Hawaii.

Your Committee on Agriculture concurs with the intent and purpose of H.R. No. 440 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1480 Education on H.C.R. No. 252

The purpose of this concurrent resolution is to request the Board of Education to conduct an evaluation of the present program of reading and writing instruction in the public schools.

The Department of Education (Department) testified that this concurrent resolution is not necessary because the Department has already instituted a plan to support school level efforts to improve basic skills instruction in all content areas by sending support teams into the schools, and that a task force has been formed to develop a language arts educational program with consideration given to optimum class size ratios and effective instructional strategies to enhance student skills in the language arts.

Your Committee finds that improvement of language skills programs in the public schools must be achieved as quickly as possible.

The title and language of this concurrent resolution have been amended to request that the Board of Education conduct an evaluation of the Department's efforts to assess and improve reading and writing instruction in the public schools, including an assessment of the plan to send support teams into the schools. The concurrent resolution has also been amended to request the Board of Education to evaluate the progress of the task force developing the language arts educational program.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 252, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 252, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Levin, Oshiro, Taniguchi, Tom, O'Kieffe and Ribellia.

SCRep. 1481 Education on H.C.R. No. 255

The purpose of this concurrent resolution is to request the Department of Education to conduct a study on the feasibility of establishing a library on the North Shore of Kauai.

The State Librarian testified in favor of this concurrent resolution.

The Board of Education has control over the State library system which is managed by the State Librarian. This concurrent resolution and its title have been amended accordingly.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 255, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 255, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Levin, Oshiro, Taniguchi, Tom, O'Kieffe and Ribellia.

SCRep. 1482 Health on H.R. No. 387

The purpose of this resolution is to request the House Health Committee to study certain emerging and critical issues in health with respect to Hawaii's population during the period between legislative sessions.

The issues of cost containment, health professional workforce shortages such as in nursing, physical, occupational and recreational therapists, catastrophic illness and long-term care coverage, health planning, tax exemptions on medical devices and similar concerns require serious consideration. These and other issues will be the focus of interim hearings and studies conducted by the Health Committee.

Your Committee received testimony in support of this resolution from the State Health Department, the Executive Office on Aging and the Hawaii Nurses Association.

Primary considerations of the Health Committee include cost-containment, programs which will promote individual wellness and the appropriate distribution of scarce healthcare resources. Your Committee feels that interim studies are necessary for a balanced understanding of these complex issues.

Your Committee on Health concurs with the intent and purpose of H.R. No. 387, and recommends it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representative Peters.

SCRep. 1483 Water, Land Use, Development and Hawaiian Affairs on H.R. No. 365

The purpose of this resolution is to request that the Department of Land and Natural Resources, in cooperation with the Department of Taxation and the counties, examine Hawaii's taxes relating to reforestation, in order to determine to what extent taxation may inhibit reforestation.

Your Committee has received testimony indicating that pasture lands have a lower tax basis than commercial forest land and therefore landowners may tend to favor grazing activities. It is also relevant that the tax provisions of Chapter 186 were rendered null and void by the transfer of responsibility for administering real property taxation to the various counties.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 365 and recommends it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1484 Water, Land Use, Development and Hawaiian Affairs on H.R. No. 38

Your Committee finds that the Hawaiian population is subject to a much higher level of chronic health problems than the general population and that a survey of native Hawaiians indicates that health needs are a concern second only to housing. The Department of Health indicated that the work necessary to reduce morbidity and mortality among Hawaiians is a complex job involving many disciplines and that its ability to attack the problem is severely limited by available resources.

Your Committee has made non-substantive amendments and has included an additional paragraph requested by OHA to document the priorities of the Hawaiian community.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. 38, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 38, H.D. 1.

Signed by all members of the Committee.

SCRep. 1485 Planning, Energy and Environmental Protection on H.C.R.
No. 236

The purpose of the concurrent resolution is to urge the Department of Transportation to adopt the necessary rules regarding the discharge or leakage of water pollutants from vessels into State waters.

Your Committee finds that recent incidents involving the discharge or leakage of crude oil into the State's waters have brought light to the fact that the State is in need of better defining its rules and laws governing the regulation and prevention of such releases. The likelihood of permanent damage to Hawaii's marine environment as a result of intentional or negligent water pollution is great enough to suggest the need for stringent rules, laws and environmental impact determination procedures regarding the discharge of pollutants into or upon State waters.

While it concurs with the intent of this concurrent resolution, your Committee has amended this measure to request the Department of Health to be included as a party to the development of needed legislation, rules and environmental impact determination procedures in regard to pollutant releases into or upon the State's waters. This amendment has been made in response to the fact that the Department of Health has recently been designated as the State's lead representative on the Federal Environmental Protection Agency's Region IX-Oceania Regional Response Team. Therefore this concurrent resolution, including its title, has been amended to reflect this situation.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of H.C.R. No 236, as amended herein, and recommends its adoption in the form attached hereto as H.C. R. No. 236, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Fukunaga, Honda and D. Ige.

SCRep. 1486 Tourism on H.R. No. 353

The purpose of this resolution is to request the Department of Planning and Economic Development and the Hawaii Visitors Bureau to develop marketing campaigns for immediate implementation which would attract participants and spectators of the 1988 Summer Olympic Games to stop and visit Hawaii before or after the Games.

Your Committee received testimony from the Department of Planning and Economic Development (DPED) in strong support of this resolution. DPED stated that it would be pleased to work with the Hawaii Visitors Bureau in developing and implementing a marketing campaign to attract residual pre and post business from the 1988 Summer in Korea. The department further stated that there is a number of individuals/organizations in Hawaii with prior experience in working with sports programs of this nature. DPED indicated that they would attempt to draw upon the expertise of these individuals/organizations in their endeavors to respond to this resolution.

Your Committee on Tourism concurs with the intent and purpose of H.R. No.

353 and recommends its adoption.

Signed by all members of the Committee except Representative Tungpalan.

SCRep. 1487 Labor and Public Employment on H.R. No. 378

The purpose of this resolution is to request the Commission on Employment and Human Resources (Commission) in consultation with other interested agencies and individuals, to assess the adequacy of resources available to assist displaced workers in Hawaii and to recommend strategies for developing a coordinated and comprehensive approach to serving these persons.

Your Committee is deeply concerned that industrial shut-downs and plant closings will likely continue as a result of changes in the U.S. economy. These shut-downs and closings have a devastating impact on the lives and families of those employees who face separation from a job they had considered permanent.

These workers, displaced through no fault of their own and occasionally without adequate warning, must rely on the State to provide resources to assist them in finding other employment or retraining opportunities.

Displacement of workers poses a problem not only for the workers themselves but for the community as a whole. If resources are not available to assist these workers, they will be forced to rely on public financial assistance, already overburdened.

Your Committee received testimony in favor of this resolution from the Department of Labor and Industrial Relations, the Commission, and the ILWU Local 142.

Following considerable discussion, your Committee finds that those requested to work with the Commission in preparing its report most strongly represent the interests of the employers. Your Committee feels that it is important that all interested parties should have input and therefore has amended this resolution by requesting the Commission to consult with representatives of organizations representing both public and private employees as well as those already listed.

Your Committee has also made technical, non-substantive amendments to the resolution for purposes of style and clarity.

Your Committee on Labor and Public Employment is in accord with the intent and purpose of H.R. No. 378, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 378, H.D. 1.

Signed by all members of the Committee except Representative Tungpalan.

SCRep. 1488 Labor and Public Employment on H.C.R. No. 220

The purpose of this concurrent resolution is to request the Commission on Employment and Human Resources (Commission) in consultation with other interested agencies and individuals, to assess the adequacy of resources available to assist displaced workers in Hawaii and to recommend strategies for developing a coordinated and comprehensive approach to serving these persons.

Your Committee is deeply concerned that industrial shut-downs and plant closings will likely continue as a result of changes in the U.S. economy. These shut-downs and closings have a devastating impact on the lives and families of those employees who face separation from a job they had considered permanent.

These workers, displaced through no fault of their own and occasionally without adequate warning, must rely on the State to provide resources to assist them in finding other employment or retraining opportunities.

Displacement of workers poses a problem not only for the workers themselves but for the community as a whole. If resources are not available to assist these workers, they will be forced to rely on public financial assistance, already overburdened.

Your Committee received testimony in favor of this concurrent resolution from the Department of Labor and Industrial Relations, the Commission, and the ILWU

Local 142.

Following considerable discussion, your Committee finds that those requested to work with the Commission in preparing its report most strongly represent the interests of the employers. Your Committee feels that it is important that all interested parties should have input and therefore has amended this concurrent resolution by requesting the Commission to consult with representatives of organizations representing both public and private employees as well as those already listed.

Your Committee has also made technical, non-substantive amendments to the concurrent resolution for purposes of style and clarity.

Your Committee on Labor and Public Employment is in accord with the intent and purpose of H.C.R. No. 220, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 220, H.D. 1.

Signed by all members of the Committee except Representative Tungpalan.

SCRep. 1489 Labor and Public Employment on H.R. No. 436

The purpose of this resolution is to request that the administrator of the Hawaii Public Employees Health Fund convene a committee of representatives of public employers, public employee unions, the Hawaii Public Employees Health Fund, the Employees' Retirement System, and the Coalition of State and County Retirees to study health fund benefit costs for retired State and county employees, to identify alternative funding sources and to make recommendations on proposed legislation to continue a reasonable level of public employer funding of health fund benefit costs for all retired State and County employees.

Your Committee finds that the number of State and County retirees enrolled in the medical plan has increased from 10,724 in 1978 to 19,543 in March 1987. Annual public employer costs are expected to rise unabated due to the current provisions in chapter 87, Hawaii Revised Statutes, the Health Fund Law, which requires public employers funding of retiree contributions, and inflationary increase in healthcare costs. For FY 1985-1986, public employers paid the following contributions to the health fund for all benefit plans: \$27.2 million for active employees; \$25.6 million for retirees.

Your Committee concurs that a timely review of current and future health fund retiree costs is necessary.

Your Committee has amended the resolution by adding the Public Employees Management Association of Hawaii as a participating member of the Review Committee.

Your Committee on Labor and Employment concurs with the intent and purpose of H.R. No. 436, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 436, H.D. 1.

Signed by all members of the Committee except Representative Tungpalan.

SCRep. 1490 Labor and Public Employment on H.C.R. No. 269

The purpose of this concurrent resolution is to request that the administrator of the Hawaii Public Employees Health Fund convene a committee of representatives of public employers, public employee unions, the Hawaii Public Employees Health Fund, the Employees' Retirement System, and the Coalition of State and County Retirees to study health fund benefit costs for retired State and county employees, to identify alternative funding sources and to make recommendations on proposed legislation to continue a reasonable level of public employer funding of health fund benefit costs for all retired State and County employees.

Your Committee finds that the number of State and County retirees enrolled in the medical plan has increased from 10,724 in 1978 to 19,543 in March 1987. Annual public employer costs are expected to rise unabated due to the current provisions in chapter 87, Hawaii Revised Statutes, the Health Fund Law, which requires public employers funding of retiree contributions, and inflationary increase in healthcare costs. For FY 1985-1986, public employers paid the fol-

lowing contributions to the health fund for all benefit plans: \$27.2 million for active employees; \$25.6 million for retirees.

Your Committee concurs that a timely review of current and future health fund retiree costs is necessary.

Your Committee has amended the concurrent resolution by adding the Public Employees Management Association of Hawaii as a participating member of the Review Committee.

Your Committee on Labor and Employment concurs with the intent and purpose of H.C.R. No. 269, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 269, H.D. 1.

Signed by all members of the Committee except Representative Tungpalan.

SCRep. 1491 Judiciary on S.B. No. 435

The purpose of this bill is to prohibit the disposal of fishing nets, traps, or fishing gear with netting, or parts thereof, in the waters of the State.

The House Committee on Ocean and Marine Resources found that discarded fishing nets, other fishing gear or parts thereof create hazards to navigation and a serious environmental problem. The discarded nets and gear trap and kill birds, fish, turtles, and other forms of marine life. Made of long-lasting monofilament nylon and other synthetic materials, nets do not biodegrade or breakdown in the ocean. The remnants thus pose a long and continuous hazard once discarded in the ocean.

The Department of Land and Natural Resources testified in support of this bill, noting that the bill reinforces the antilitter law by amending Chapter 188 of the Hawaii Revised Statutes to specifically refer to fishing gear. Supporting testimony was also received from the State Department of Transportation. They indicated that they receive recurring reports from boaters complaining of vessels damaged by nets or fouled by drifting lines.

Your Committee on Judiciary is in accord with the intent and purpose of S.B. No. 435, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1492 Finance on S.B. No. 1741

The purpose of this bill is to clarify the requirements relating to credited service and eligibility for members of the Employees' Retirement System who terminate or retire and subsequently return to government service, and for those who transfer from the noncontributory plans to the contributory plans, and vice versa.

Specifically, the bill would do the following:

- (1) Provide that total credited service as a contributory and noncontributory member would be used to determine a member's eligibility for retirement;
- (2) Clarify the rights of a member with vested interest who subsequently return to government service and require members who retire from the noncontributory plan and subsequently return to government service to remain in the non-contributory plan; and
- (3) Include disability retirement allowance which was inadvertently omitted from chapter 88.

Your Committee finds this bill is an appropriate means of clarifying and strengthening the provisions relating to credited service and eligibility for retirement after returning to public service or transferring plans.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 1741, S.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1493 Finance on S.B. No. 1738

The purpose of this bill is to expand the investment options available to the Board of Trustees of the Employees' Retirement System (ERS).

Act 71, Session Laws of Hawaii 1986, was intended to provide the ERS with increased investment flexibility. However, the Board of Trustees was informed that a subsequent opinion of the Attorney General raised questions concerning the efficacy of the intended flexibility of the legislation provided by the Act. This bill addresses those questions and provides the flexibility originally intended by Act 71.

Specifically, this bill would:

(1) Increase the loan-to-value ratio of member home loans to 80% for all categories of mortgages to its members, and reduce the necessary downpayment thereby making it easier for members to obtain a mortgage loan through the ERS;

(2) Add the phrase "or of any country in the Pacific Basin or Western Europe" to item (4) of Section 88-119 to allow the Board of Trustees to increase its international investments;

(3) Amend item (9) of Section 88-119 to authorize the ERS to make direct investments in real estate; and

(4) Add the phrase "futures contracts" to item (10) of Section 88-119 to specifically authorize the ERS to invest in options and futures contracts.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 1738, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1494 Finance on S.B. No. 1739

The purpose of this bill is to establish what is commonly known as the "Employer Pick Up Plan" pursuant to the Internal Revenue Code, Section 414 (h)(2).

The plan would allow members under the Employees' Retirement System's contributory plan to make contributions with "before tax" dollars rather than "after tax" dollars beginning January 1, 1988.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 1739, S.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1495 Finance on S.B. No. 1746

The purpose of this bill is to provide volunteer boating enforcement officers with the same workers' compensation benefits that are now provided to public board members, reserve police officers, voluntary deputy fish and game wardens, and volunteer firefighters.

The bill would also amend Section 386-181, Hawaii Revised Statutes, to change references to "volunteer fish and game warden" to "volunteer conservation and resources enforcement officers".

Your Committee concurs with the findings in House Standing Committee Report 927 that volunteer boating enforcement officers perform valuable services and should be entitled full worker's compensation benefits in the event of injury in the line of duty.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 1746, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1496 Finance on S.B. No. 304

The purpose of this bill is to increase the salary of the State Librarian.

Your Committee finds it appropriate to allow the Board of Education to increase the salary of the State Librarian to be not more than \$68,400, effective July 1, 1987.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 304 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1497 Finance on S.B. No. 1742

The purpose of this bill is to authorize the Board of Regents to manage the inventory, equipment, surplus property, and expenditures of the University of Hawaii and to authorize the Board to adopt rules governing the same.

Your Committee received testimony from the Vice President for Finance and Operations of the University of Hawaii in support of the bill. The Vice President indicated that the bill would codify the transfer of authority, already in place, and authorize the Board of Regents to adopt rules necessary to carry out its responsibilities. In addition, implementing these rules would add clearer guidance to those dealing with the University and insure uniformity of application.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 1752 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1498 Finance on S.B. No. 1742

The purpose of this bill is to provide that any retired public employee who returns to government service after June 30, 1984, shall be reenrolled in the same class from which the employee originally retired.

Your Committee finds that this bill is in accord with the original intent of the noncontributory retirement plan enacted in Act 108, S.L.H 1984. It further finds that there would be no additional cost to the employer.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 1742 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1499 Finance on S.B. No. 1723

The purpose of this bill is to allow the Hawaii Housing Authority to establish a taxable mortgage securities program. The bill also authorizes the issuance of these securities in the aggregate principal amount not to exceed \$400 million.

The State's tax exempt mortgage program, commonly referred to as Hula Mae, was established by the State Legislature in 1979 and has been a very successful program in providing below-market interest rates to first-time homebuyers.

Your Committee concurs with the discussion and findings in House Standing Committee Report No. 847.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 1723 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1500 Finance on S.B. No. 1159

The purpose of this bill is to allow the Department of Transportation to place a

lien on any aircraft that has failed to make payment of any required landing fees or other airport-related fees assessed. Lien execution procedures which include notification, impoundment, public auction, and liquidation are also specified.

Current law prohibits the Department of Transportation from placing a lien against an aircraft for charges owed to the airport as a result of the aircraft operator's failure to pay appropriate fees. These fees may include landing fees, parking fees, holding room charges, and hangar rentals. This anomalous situation may lead to substantial losses in airport special fund revenues, due to the inability to collect on past due accounts of the debtor's assets cannot be attached.

Your Committee concurs that the Department of Transportation should be given the authority to place a lien against an aircraft for charges owed the airport and, if necessary, impound and sell attached assets, as this would greatly assist the Department in the collection of past due accounts.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 1159 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1501 Finance on S.B. No. 1151

The purposes of this bill are to allow the Hawaii Housing Authority (HHA), on a case-by-case basis, to waive the ten year buy-back provision on certain dwellings without the restrictions being reinstated after transfer of title; to extinguish the buy-back restrictions when a HHA dwelling unit and the land or leasehold interest is transferred pursuant to a mortgage foreclosure, foreclosure under a power of sale, or a conveyance in lieu of foreclosure; and to likewise extinguish the owner-occupant requirement under the same circumstances.

Your Committee finds that the buy-back provision and owner-occupant requirements are necessary in order to prevent speculation in the low cost housing market. However, there are certain circumstances that do warrant the waiver of the buy-back and owner-occupant requirements such as when the housing market is depressed and circumstances dictate that an owner must leave or relocate to another state. Under these conditions, an owner would be compelled to sell the dwelling at a price which is far below its acquisition cost due to the imposition of the buy-back provision on potential buyers of the dwelling. Additionally, the owner-occupant requirement would eliminate the opportunity for the owner to receive rental income during the period the dwelling is listed for sale. This measure will provide the flexibility that HHA needs to address these types of special circumstances that homeowners may undergo from time to time.

Your Committee on Finance is in accord with the intent and purposes of S.B. No. 1151, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1502 Finance on S.B. No. 1083

The purpose of this bill is to create an exemption from the Civil Service Law to allow Department of Housing and Urban Development Section 8 employees to be retained for the duration of federal funding of the Section 8 program.

Presently on Kauai, HUD Section 8 employees are employed pursuant to Section 76-77 (7), Hawaii Revised Statutes, which permits only a one year contract.

This bill would allow these employees to be retained on a long term basis, without conflicting with the administration's long established policy of not creating civil service positions when funding for such positions comes from the federal government.

Your Committee agrees that Section 8 employees should have more employment security by way of a long term contract for the duration of the Section 8 funding.

Your Committee on Finance is in accord with the intent and purpose of S.B.

No. 1083, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1503 Finance on S.B. No. 1053

The purpose of this bill is to waive the public contract bonding requirements for nonprofit qualified rehabilitation facilities providing job training and employment for handicapped persons.

Your Committee finds that current law requires a public contractor for other than public works to provide a bond in an amount equal to fifty per cent of the contract price. This requirement restricts the provision of rehabilitation services to handicapped persons since a number of nonprofit rehabilitation facilities serving the handicapped have not been able to secure bonding.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 1053, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1504 Finance on S.B. No. 981

The purpose of this bill is to include, among the duties of the Department of Agriculture, the planning, development, and management of agricultural park projects.

Your Committee finds that Act 222, Session Laws of Hawaii, 1986, transferred the agricultural park functions from the Department of Land and Natural Resources to the Department of Agriculture. This "housekeeping" measure will conform the general duties of the Department of Agriculture to include administration of agricultural park projects. This bill also clarifies language in HRS Section 141-1.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 981, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1505 Finance on S.B. No. 909

The purpose of this bill is to require that the Department of Social Services and Housing provide substance abuse treatment for persons committed to State correctional facilities.

Your Committee on Finance finds that incarcerated inmates with substance abuse problems should be given the opportunity to control their behavior and overcome problems with alcohol and drug abuse.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 909, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1506 Finance on S.B. No. 597

The purpose of this bill is to amend Sections 46-15.1 and 46-15.2, Hawaii Revised Statutes, to provide the counties with greater flexibility in the structuring of bond issues for county housing programs.

Specifically, the bill proposes to:

(1) Clarify that the provisions of Section 46-15.2, Hawaii Revised Statutes, relating to tax-exempt bond financing may be applied to carry out the purposes of Section 46-15.1, Hawaii Revised Statutes, regarding county powers to develop housing;

(2) Expand the scope of Section 46-15.2, Hawaii Revised Statutes, to include the issuance of tax-exempt revenue bonds under Chapters 47 and 49, Hawaii Revised Statutes, for the purpose of financing county-owned housing;

(3) Authorize the counties to issue capital appreciation bonds in support of county housing development activities;

(4) Allow the counties to contract for support facilities on put options or for interest rate swaps so that variable-rate financings can be undertaken; and

(5) Provide the counties with the same ability as the Hawaii Housing Authority with respect to the investment of bond proceeds and bond-related moneys, including required reserves.

The new statutory material has been drafted with the assistance of Wood Dawson Smith and Hellman, bond counsel to the State and all the counties of Hawaii.

The Department of Housing and Community Development and the City and County of Honolulu testified that the issuance of bonds by the City is a valuable source for providing financing to stimulate private sector development of new rental housing or for rehabilitating existing apartments with emphasis on making units available to lower income groups. Additional flexibility is needed, however, if bond issuers are to take advantage of recent innovations in tax-exempt financing techniques and new investment alternatives for bond funds in the structuring of bond issues. This flexibility would allow the counties maximum use of tax-exempt bond financing for purposes of increasing the supply of affordable rental housing.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 597, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1507 Finance on S.B. No. 583

The purpose of this bill is to apportion an equitable share of revenues derived from the enforcement of State and County animal control regulations to the State Director of Finance and to the County Director of Finance of each county.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 583, S.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1508 Finance on S.B. No. 533

The purpose of this bill is to establish an offender family service center near the Oahu Community Correctional Center which would contribute to the frequency and quality of family visits to inmates of the facility.

The maintenance of strong family and community ties is essential to prisoners while incarcerated and may serve to discourage violent prisoner activity, assist in assuring a more successful transition back to society, and reduce recidivism. Prison visitation is the major means of keeping these valuable relationships alive. Enhancing services to prison visitors will provide much needed assistance to families who are visiting incarcerated relatives, and will increase the frequency and quality of these visits.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 533, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1509 Finance on S.B. No. 1357

The purpose of this bill is to establish a users advisory board to advise the Division of Water and Land Development of the Department of Land and Natural Resources on matters of concern to the users of the Molokai irrigation system.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 1357, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1510 Finance on S.B. No. 1160

The purpose of this bill is to amend the current statutes to allow the installation of currency-operated vending machines and automatic teller machines on public property without bidding.

Present law specifically exempts coin-operated vending machines but excludes coin-operated insurance vending machines. New technology has led to vending machines which can accept currency for payment and provide correct change, as well as automatic teller machines. Part of the revenues for the State airport system is derived through vending machines, which provide a needed service to passengers. By allowing the newer currency-operated machines, as well as insurance vending machines and automatic tellers (which would be permitted on a rental basis), both levels of income and service provided would be increased.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 1160 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1511 Finance on S.B. No. 1734

The purpose of this bill is to allow the Department of Health to certify foster care homes for developmentally disabled individuals so that these persons may remain in these homes beyond their eighteenth birthday. An appropriation of \$37,000 in fiscal year 1987-1988 for the regulation of these homes is recommended.

Act 328, Session Laws of Hawaii 1986, provided for a one year pilot project and study of the provisional certification of adult foster homes. This study, now before the Legislature, recommends the continuation of adult foster home certification.

Your Committee finds that a mix of certified residential, community care homes are an important element in the progress towards enhancing the quality of life of developmentally disabled and other handicapped individuals. This bill will diminish the disruption of life routine, and promote the values of continuous care and positive relationships found in adult foster care homes.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 1734, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1512 Finance on S.B. No. 1737

The purpose of this bill is to authorize the establishment of a second deputy position for the Department of Budget and Finance.

Growth and changing trends in government have created a need for more timely budgetary and fiscal information. To meet this need, the Department of Budget and Finance is expanding its electronic data processing program and preparing for the development of a statewide telecommunications program involving voice and data communications. These new programs will be complex and extensive, and will require the services of a full time administrator.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 1737, S.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1513 Finance on S.B. No. 1758

The purpose of this bill is to provide to the Department of Planning and Economic Development (DPED) the authority to charge fees for services rendered and products provided by the Department.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 1758, S.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1514 Finance on S.B. No. 1702

The purpose of this bill is to repeal the limit on the number of exempt employees within the Office of the Lieutenant Governor.

Currently, Section 76-16, Hawaii Revised Statutes, limits the number of exempt positions for administrative purposes in the Lieutenant Governor's Office to eight. This bill would allow the Lieutenant Governor to employ exempt staff as necessary but would not affect the present status of the six permanent elections positions that are civil service.

Since the limit of eight was established in 1976, the demands made upon the Office of the Lieutenant Governor have increased substantially in conjunction with economic and population growth in the State and the overall expansion of State government. Repealing the limit would provide the office the flexibility necessary to respond to these demands.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 1702, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1515 Ocean and Marine Resources; Water, Land Use, Development and Hawaiian Affairs; and Transportation on H.C.R. No. 139

The purpose of this concurrent resolution is to provide prior authorization for the reclamation, development, and lease of fast and submerged lands, as required under Sections 171-53 and 171-60, Hawaii Revised Statutes, in Keehi Lagoon for certain enumerated purposes. The enumerated purposes include maritime and airport related activities and commercial, industrial, and recreational purposes. The fast and submerged lands which are the subject of this concurrent resolution are along Lagoon Drive and have been described as Area 1.

This concurrent resolution has been proposed by the State administration because the reclamation and development of the subject submerged lands are necessary if Hawaii is to be the host site for the forthcoming America's Cup yacht race. Persuasive presentations have been made before your Committees and in the media on the benefits which will accrue to the State if the America's Cup race is held in Hawaii. Proponents for hosting the race in Hawaii, however, have maintained that existing facilities are inadequate, decreasing significantly the chances for selection as the race site. The State administration and representatives of the private sector favor the proposal for the development of the necessary facilities at Keehi Lagoon.

Your Committees agree with proponents of this concurrent resolution. Through this measure, your Committees convey to the decision makers in San Diego its commitment to the establishment of high quality facilities for the America's Cup and the seriousness of the State's bid.

A secondary reason for the proposed reclamation and development of the subject fast and submerged lands is to provide additional space for maritime and airport related activities and commercial, industrial, and other recreational uses. Your Committees feel that the State will benefit overall if more lands are provided for these types of activities and uses. Your Committees feel that the reclamation and development of the fast and submerged lands along Lagoon Drive, known as Area 1, and eight acres on the east side of Keehi Lagoon, known as Area 4, are compatible in general to existing uses of the area and will not substantially adversely impact recreational activities. Thus, your Committees have amended

this concurrent resolution to also authorize the reclamation, development, and lease of Area 4.

Your Committees on Ocean and Marine Resources; Water, Land Use, Development and Hawaiian Affairs; and Transportation concur with the intent and purpose of H.C.R. No. 139, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 139, H.D. 1.

Signed by all members of the Committees except Representatives Cachola, Fukunaga, Hashimoto, Horita, Ihara, Souki, Tajiri, Taniguchi, Yoshimura, Jones and Pfeil.

SCRep. 1516 Ocean and Marine Resources; Water, Land Use, Development and Hawaii Affairs; and Transportation on H.C.R. No. 151

The purpose of this concurrent resolution is to provide prior authorization for the reclamation, development, and lease of fast and submerged lands, as required under Sections 171-53 and 171-60, Hawaii Revised Statutes, in Keehi Lagoon for certain enumerated purposes. The enumerated purposes include maritime and airport related activities and commercial, industrial, and recreational purposes. The fast and submerged lands which are the subject of this concurrent resolution comprise a triangular area in Keehi Lagoon, lying between the Honolulu International Airport and Sand Island. The lands are described as Area 2.

This concurrent resolution has been proposed by the State administration because the reclamation and development of the subject submerged lands are necessary if Hawaii is to be the host site for the forthcoming America's Cup yacht race. Persuasive presentations have been made before your Committees and in the media on the benefits which will accrue to the State if the America's Cup race is held in Hawaii. Proponents for hosting the race in Hawaii, however, have maintained that existing facilities are inadequate, decreasing significantly the chances for selection as the race site. The State administration and representatives of the private sector favor the proposal for the development of the necessary facilities at Keehi Lagoon.

Your Committees agree with proponents of this concurrent resolution. Through this measure, your Committees convey to the decision makers in San Diego its commitment to the establishment of high quality facilities for the America's Cup and the seriousness of the State's bid.

Yet, your Committees have not been persuaded of the existence of any interrelationship between the proposed intensive degree of development in Keehi Lagoon and the necessity for America's Cup facilities. The immediacy for action on the facilities necessary to host the race is well understood and strongly supported. But, your Committees do not feel that a similar immediacy exists for the other proposed uses enumerated in the concurrent resolution, as received.

Your Committees are also concerned about the impact on the existing and planned recreational uses of Keehi Lagoon. The area is used by many persons: canoe paddlers, sailors, fishermen, water skiers, and picnickers. In addition, a wildlife habitat exists in the middle of the Lagoon. The Keehi Lagoon Recreation Plan, formulated in 1977, proposed the development of facilities to enhance, not displace, the recreational activities in the area. Your Committees favor the direction of and proposals in the Plan, but recognize also that development of facilities for the America's Cup may provide an overall benefit exceeding the cost resulting from disruption of existing activities.

Thus, your Committees have amended this concurrent resolution substantially. The "Whereas" paragraphs now emphasize the concern for the impact of the proposed development on the recreational users of Keehi Lagoon. Among the more important amendments in the "Resolved" paragraphs are the following:

(1) Prior authorization is given for the reclamation, development, and lease of submerged lands only for marina and yacht berthing facilities.

(2) The authorization is withdrawn and declared invalid if by October 1, 1987, the State of Hawaii is not chosen to be the host site for the immediate forthcoming America's Cup yacht race.

(3) Only a maximum of fifty acres may be reclaimed and developed. The

rationale for this amount is the estimation that each America's Cup syndicate, or which there will be about twenty-five, requires two acres for backup facilities.

This concurrent resolution, as amended, is the logical and most acceptable solution to the dilemma posed by the Legislature's desire to attract the America's Cup race while preventing the intensive and inappropriate development of Keehi Lagoon. Your Committees feel that the commitment made under this concurrent resolution will strengthen the State's bid to host the race. Furthermore, if Hawaii is selected as the host site, the development authorized is consistent in orientation to the existing and planned uses of Keehi Lagoon. If Hawaii is not selected as the host site, this concurrent resolution prevents development of Keehi Lagoon, at least until the Legislature can more knowledgeably, carefully, and leisurely scrutinize and contemplate another proposal to develop Keehi Lagoon.

Your Committees on Ocean and Marine Resources; Water, Land Use, Development and Hawaiian Affairs; and Transportation concur with the intent and purpose of H.C.R. No. 151, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 151, H.D. 1.

Signed by all members of the Committees except Representatives Cachola, Fukunaga, Hashimoto, Horita, Ihara, Souki, Tajiri, Taniguchi, Yoshimura, Jones and Pfeil.

SCRep. 1517 Ocean and Marine Resources; Water, Land Use, Development
and Hawaiian Affairs; and Transportation on H.C.R. No. 152

The purpose of this concurrent resolution is to provide prior authorization for the reclamation, development, and lease of fast and submerged lands, as required under Sections 171-53 and 171-60, Hawaii Revised Statutes, in Keehi Lagoon for certain enumerated purposes. The enumerated purposes include maritime and airport related activities and commercial, industrial, and recreational purposes. The fast and submerged lands which are the subject of this concurrent resolution run along the west bank of Sand Island and are described as Area 3.

This concurrent resolution has been proposed by the State administration because the reclamation and development of the subject submerged lands are necessary if Hawaii is to be the host site for the forthcoming America's Cup yacht race. Persuasive presentations have been made before your Committees and in the media on the benefits which will accrue to the State if the America's Cup race is held in Hawaii. Proponents for hosting the race in Hawaii, however, have maintained that existing facilities are inadequate, decreasing significantly the chances for selection as the race site. The State administration and representatives of the private sector favor the proposal for the development of the necessary facilities at Keehi Lagoon.

Your Committees agree with proponents of this concurrent resolution. Through this measure, your Committees convey to the decision makers in San Diego its commitment to the establishment of high quality facilities for the America's Cup and the seriousness of the State's bid.

Yet, your Committees have not been persuaded of the existence of any inter-relationship between the proposed intensive degree of development in Keehi Lagoon and the necessity for America's Cup facilities. The immediacy for action on the facilities necessary to host the race is well understood and strongly supported. But, your Committees do not feel that a similar immediacy exists for the other proposed uses enumerated in the concurrent resolution, as received.

Your Committees are also concerned about the impact on the existing and planned recreational uses of Keehi Lagoon. The area is used by many persons: canoe paddlers, sailors, fishermen, water skiers, and picnickers. In addition, a wildlife habitat exists in the middle of the Lagoon. The Keehi Lagoon Recreation Plan, formulated in 1977, proposed the development of facilities to enhance, not displace, the recreational activities in the area. Your Committees favor the direction of and proposals in the Plan, but recognize also that development of facilities for the America's Cup may provide an overall benefit exceeding the cost resulting from disruption of existing activities.

Thus, your Committees have amended this concurrent resolution substantially. The "Whereas" paragraphs now emphasize the concern for the impact of the

proposed development on the recreational users of Keehi Lagoon. Among the more important amendments in the "Resolved" paragraphs are the following:

- (1) Prior authorization is given for the reclamation, development, and lease of submerged lands only for marina and yacht berthing facilities.
- (2) The authorization is withdrawn and declared invalid if by October 1, 1987, the State of Hawaii is not chosen to be the host site for the immediate forthcoming America's Cup yacht race.
- (3) America's Cup syndicates are required to provide their own equipment and erect their own temporary structures at no cost to the State.
- (4) The State shall not allow any use, other than present, actual uses, on State lands proposed for inclusion in Sand Island Park which are adjacent to Area 3, until the America's Cup host site is selected or October 1, 1987, whichever occurs sooner.
- (5) The State shall not sell any part of the State lands proposed for inclusion in Sand Island Park which are adjacent to Area 3 until the America's Cup host site is selected or October 1, 1987, whichever occurs sooner.

This concurrent resolution, as amended, is the logical and most acceptable solution to the dilemma posed by the Legislature's desire to attract the America's Cup race while preventing the intensive and inappropriate development of Keehi Lagoon. Your Committees feel that the commitment made under this concurrent resolution will strengthen the State's bid to host the race. Furthermore, if Hawaii is selected as the host site, the development authorized is consistent in orientation to the existing and planned uses of Keehi Lagoon. If Hawaii is not selected as the host site, this concurrent resolution prevents development of Keehi Lagoon, at least until the Legislature can more knowledgeably, carefully, and leisuely scrutinize and contemplate another proposal to develop Keehi Lagoon.

Your Committees on Ocean and Marine Resources; Water, Land Use, Development and Hawaiian Affairs; and Transportation concur with the intent and purpose of H.C.R. No. 152, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 152, H.D. 1.

Signed by all members of the Committees except Representatives Cachola, Fukunaga, Hashimoto, Horita, Ihara, Tajiri, Taniguchi, Yoshimura, Jones, Medeiros and Pfeil.

SCRep. 1518 Consumer Protection and Commerce and Judiciary on S.B. No. 1098

The purpose of this bill is to provide that no cease and desist order of the Insurance Commissioner, or order of the court to enforce it, shall relieve or absolve in any way any person affected by the order from any other liability, penalty, or forfeiture required by law.

In 1983, the Legislature enacted language relating to unfair methods of competition and unfair and deceptive acts and practices in the insurance industry which was adopted by the National Association of Insurance Commissioners (NAIC) as the Model Act. Your Committees note that the language contained in this bill was deleted from the statute which existed prior to the 1983 amendment.

Your Committee finds that the current administrative procedure for cease and desist orders by the Insurance Commissioner are inadequate and do not afford compensation to the individual damaged by the insurance carrier's unfair claim settlement practices. Therefore, your Committee emphasizes its accord with the provisions of this bill clarifying that the cease and desist order is not the exclusive remedy.

Your Committees have received testimony from the Insurance Commissioner, the Hawaii Insurers Council, and other interested parties.

Your Committees on Consumer Protection and Commerce and Judiciary are in accord with the intent and purpose of S.B. No. 1098 and recommend that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committees except Representative Yoshimura.

SCRep. 1519 Legislative Management on S.C.R. No. 13

The purpose of this concurrent resolution is to request the Legislative Auditor to identify suitable sites for a State Veterans Cemetery on Oahu in time for the State to apply for federal matching funds for its establishment.

Your Committee finds that the National Memorial Cemetery of the Pacific, Punchbowl, is nearing capacity and is projected to stop accepting casket burials by March 1989. A State Veterans Cemetery is needed.

Your Committee on Legislative Management concurs with the intent and purpose of S.C.R. No. 13, S.D. 1, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Souki and Liu.

SCRep. 1520 Ocean and Marine Resources; Water, Land Use, Development
and Hawaiian Affairs; and Transportation on H.C.R. No. 154

The purpose of this concurrent resolution is to provide prior authorization for the reclamation, development, and lease of fast and submerged lands, as required under Sections 171-53 and 171-60, Hawaii Revised Statutes, in Keehi Lagoon for certain enumerated purposes. The enumerated purposes include maritime and airport related activities and commercial, industrial, and recreational purposes.

This concurrent resolution has been proposed by the State administration because the reclamation and development of the subject submerged lands are necessary if Hawaii is to be the host site for the forthcoming America's Cup yacht race. Persuasive presentations have been made before your Committees and in the media on the benefits which will accrue to the State if the America's Cup race is held in Hawaii. Proponents for hosting the race in Hawaii, however, have maintained that existing facilities are inadequate, decreasing significantly the chances for selection as the race site. The State administration and representatives of the private sector favor the proposal for the development of the necessary facilities at Keehi Lagoon.

Your Committees agree with proponents of this concurrent resolution. Through this measure, your Committees convey to the decision makers in San Diego its commitment to the establishment of high quality facilities for the America's Cup and the seriousness of the State's bid.

Yet, your Committees have not been persuaded of the existence of any inter-relationship between the proposed intensive degree of development in Keehi Lagoon and the necessity for America's Cup facilities. The immediacy for action on the facilities necessary to host the race is well understood and strongly supported. But, your Committees do not feel that a similar immediacy exists for the other proposed uses enumerated in the concurrent resolution, as received.

Your Committees are also concerned about the impact on the existing and planned recreational uses of Keehi Lagoon. The area is used by many persons: canoe paddlers, sailors, fishermen, water skiers, and picnickers. In addition, a wildlife habitat exists in the middle of the Lagoon. The Keehi Lagoon Recreation Plan, formulated in 1977, proposed the development of facilities to enhance, not displace, the recreational activities in the area. Your Committees favor the direction of and proposals in the Plan, but recognize also that development of facilities for the America's Cup may provide an overall benefit exceeding the cost resulting from disruption of existing activities.

Thus, your Committees have amended this concurrent resolution substantially. The "Whereas" paragraphs now emphasize the concern for the impact of the proposed development on the recreational users of Keehi Lagoon. Among the more important amendments in the "Resolved" paragraphs are the following:

(1) Prior authorization is given for the reclamation, development, and lease of submerged lands only for marina and yacht berthing facilities and light industrial and commercial uses.

(2) The authorization is withdrawn and declared invalid if by October 1, 1987, the State of Hawaii is not chosen to be the host site for the immediate forthcoming America's Cup yacht race.

This concurrent resolution, as amended, is the logical and most acceptable solution to the dilemma posed by the Legislature's desire to attract the America's Cup race while preventing the intensive and inappropriate development of Keehi Lagoon. Your Committees feel that the commitment made under this concurrent resolution will strengthen the State's bid to host the race. Furthermore, if Hawaii is selected as the host site, the development authorized is consistent, in orientation and to a partial degree, to the existing and planned uses of Keehi Lagoon. If Hawaii is not selected as the host site, this concurrent resolution prevents development of Keehi Lagoon, at least until the Legislature can more knowledgeably, carefully, and leisurely scrutinize and contemplate another proposal to place commercial, light industrial, and other nonrecreational activities in Keehi Lagoon.

Your Committees on Ocean and Marine Resources; Water, Land Use, Development and Hawaiian Affairs; and Transportation concur with the intent and purpose of H.C.R. No. 154, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 154, H.D. 1.

Signed by all members of the Committees except Representatives Fukunaga, Horita, Ihara, Kanoho, Lee, Souki, Taniguchi and Tungpalan.

SCRep. 1521 Education on H.R. No. 126

The purpose of this resolution is to request that the Department of Education establish a new high school in West Hawaii.

Your Committee finds that the rapid growth of West Hawaii and the increasing number of large developments there could have a serious impact on the quality of educational services in that area. In order to address this problem adequately in the capital improvement budget, it is essential that the Legislature have a comprehensive plan for establishing educational facilities in West Hawaii.

The title and the language of this resolution have been amended to include a study of the need for additional school facilities and a district office in West Hawaii.

Your Committee on Education concurs with the intent and purpose of H.R. No. 126, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 126, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Crozier, Shon and Taniguchi.

SCRep. 1522 Consumer Protection and Commerce on H.R. No. 42

The purpose of this resolution is to request the Director of Measurement Standards, Department of Agriculture, to adopt rules requiring retail gasoline dealers to post conspicuous signs which state the price of gasoline per gallon. The resolution also provides that the rules shall be adopted at least twenty days prior to the convening of the 1988 session of the Legislature.

Under Section 486-9, Hawaii Revised Statutes, the Director of Measurement Standards of the Department of Agriculture is authorized to adopt rules regarding the advertising and selling of petroleum products. In 1981, the Director promulgated rules prohibiting the sale of gasoline by the gallon when the unit price per U.S. petroleum gallon exceeds one dollar.

Your Committee finds that Hawaii is the only state in the United States that is selling gasoline solely by the liter and that the posting of gasoline prices under the metric system is misleading or confusing to many Hawaii residents.

Your Committee has received testimony from the Department of Agriculture, the Office of Consumer Protection, and representatives from the gasoline dealers of Hawaii.

Your Committee has considered the testimony of the gasoline dealers and has amended the resolution to require that the Department of Agriculture rescind its rule prohibiting the sale of gasoline by the gallon when the unit price per U.S. petroleum gallon exceeds one dollar. Your Committee has also amended the resolution by requiring the Department to conduct rule-making which will allow gasoline dealers to price and sell gasoline by the gallon. Furthermore, your Committee has deleted the requirement to post conspicuous signs or dual signs reflecting the conversion price of petroleum products per gallon.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.R. No. 42, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 42, H.D. 1.

Signed by all members of the Committee except Representative Peters.

SCRep. 1523 Consumer Protection and Commerce on H.C.R. No. 23

The purpose of this concurrent resolution is to request the Director of Measurement Standards, Department of Agriculture, to adopt rules requiring retail gasoline dealers to post conspicuous signs which state the price of gasoline per gallon. The concurrent resolution also provides that the rules shall be adopted at least twenty days prior to the convening of the 1988 session of the Legislature.

Under Section 486-9, Hawaii Revised Statutes, the Director of Measurement Standards of the Department of Agriculture is authorized to adopt rules regarding the advertising and selling of petroleum products. In 1981, the Director promulgated rules prohibiting the sale of gasoline by the gallon when the unit price per U.S. petroleum gallon exceeds one dollar.

Your Committee finds that Hawaii is the only state in the United States that is selling gasoline solely by the liter and that the posting of gasoline prices under the metric system is misleading or confusing to many Hawaii residents.

Your Committee has received testimony from the Department of Agriculture, the Office of Consumer Protection, and representatives from the gasoline dealers of Hawaii.

Your Committee has considered the testimony of the gasoline dealers and has amended the concurrent resolution to require that the Department of Agriculture rescind its rule prohibiting the sale of gasoline by the gallon when the unit price per U.S. petroleum gallon exceeds one dollar. Your Committee has also amended the concurrent resolution by requiring the Department to conduct rule-making which will allow gasoline dealers to price and sell gasoline by the gallon. Furthermore, your Committee has deleted the requirement to post conspicuous signs or dual signs reflecting the conversion price of petroleum products per gallon.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.C.R. No. 23, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 23, H.D. 1.

Signed by all members of the Committee except Representatives Cachola and Peters.

SCRep. 1524 Consumer Protection and Commerce on H.R. No. 170

The purpose of this resolution is to request the Hawaii Association of Realtors to amend the property description section of their DROA form to provide for clear and conspicuous notice of the existence of a surrender or reversion clause and the exact terms of the lease, and to require that the DROA provide that if the imminence of renegotiation of the lease terms makes a mortgage impossible to obtain, then the deposit shall be refunded in full.

Your Committee has received testimony from the Hawaii Independent Condominium and Cooperatives Owners Association, Inc., and the Hawaii Association of Realtors.

Your Committee has considered the testimony from the Hawaii Association of Realtors that they are developing two property condition forms which provide the

disclosure of pertinent facts, including the disclosure of a surrender clause or a reversionary clause in a lease, and that they have recommended revisions to their DROA form to include the statement that the seller's real property disclosure statement has or has not been reviewed and accepted by the buyer. Accordingly, your Committee has amended the title and body of the resolution to reflect those provisions.

Your Committee also intends and so requests the Hawaii Association of Realtors to separate into two categories, with appropriate headings, the reversionary and the surrender clauses to provide more clarity.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.R. No. 170, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 170, H.D. 1.

Signed by all members of the Committee except Representatives Cachola and Peters.

SCRep. 1525 Consumer Protection and Commerce on H.C.R. No. 99

The purpose of this concurrent resolution is to request the Hawaii Association of Realtors to amend the property description section of their DROA form to provide for clear and conspicuous notice of the existence of a surrender or reversion clause and the exact terms of the lease, and to require that the DROA provide that if the imminence of renegotiation of the lease terms makes a mortgage impossible to obtain, then the deposit shall be refunded in full.

Your Committee has received testimony from the Hawaii Independent Condominium and Cooperatives Owners Association, Inc., and the Hawaii Association of Realtors.

Your Committee has considered the testimony from the Hawaii Association of Realtors that they are developing two property condition forms which provide the disclosure of pertinent facts, including the disclosure of a surrender clause or a reversionary clause in a lease, and that they have recommended revisions to their DROA form to include the statement that the seller's real property disclosure statement has or has not been reviewed and accepted by the buyer. Accordingly, your Committee has amended the title and body of the concurrent resolution to reflect those provisions.

Your Committee also intends and so requests the Hawaii Association of Realtors to separate into two categories, with appropriate headings, the reversionary and the surrender clauses to provide more clarity.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.C.R. No. 99, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 99, H.D. 1.

Signed by all members of the Committee except Representative Peters.

SCRep. 1526 Consumer Protection and Commerce on H.R. No. 261

The purpose of this resolution is to request the Department of Commerce and Consumer Affairs, which is responsible for licensing medical doctors, for the Medical Claim Conciliation Panels, and for receiving adverse peer review complaints from hospitals, to convene during the interim a special study group to review the State's laws and procedures for professional peer review. This study group will include representatives from the Department of Health, the Board of Medical Examiners, the Regulated Industries Complaints Office, the Hawaii Medical Association, the Hawaii Osteopathic Association, the HealthCare Association of Hawaii, and other interested persons, and is requested to submit a report of its findings to the Legislature at least twenty days prior to the convening of the 1988 session of the Legislature.

In 1986, Congress enacted the Health Care Quality Improvement Act because of increasing medical malpractice and of the need to improve the quality of medical care nationwide. Congress found that the threat of private money damage liability under federal laws, including treble damage liability under federal antitrust law, unreasonably discourages physicians from participating in effective profes-

sional peer review, and that there is an overriding national need to provide incentive and protection for physicians engaging in effective professional review.

Your Committee has received testimony in support of the resolution from the Department of Health, the Department of Commerce and Consumer Affairs, the HealthCare Association of Hawaii, and the Hawaii Medical Association.

Your Committee finds that the report of this special study group will enable the Legislature to more effectively examine the various review procedures that exist in the public and private sectors and to determine what legislation will be required to bring Hawaii in compliance with the Health Care Quality Improvement Act of 1986.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.R. No. 261 and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola, Peters and Takamine.

SCRep. 1527 Consumer Protection and Commerce on H.C.R. No. 155

The purpose of this concurrent resolution is to request the Department of Commerce and Consumer Affairs, which is responsible for licensing medical doctors, for the Medical Claim Conciliation Panels, and for receiving adverse peer review complaints from hospitals, to convene during the interim a special study group to review the State's laws and procedures for professional peer review. This study group will include representatives from the Department of Health, the Board of Medical Examiners, the Regulated Industries Complaints Office, the Hawaii Medical Association, the Hawaii Osteopathic Association, the HealthCare Association of Hawaii, and other interested persons, and is requested to submit a report of its findings to the Legislature at least twenty days prior to the convening of the 1988 session of the Legislature.

In 1986, Congress enacted the Health Care Quality Improvement Act because of increasing medical malpractice and of the need to improve the quality of medical care nationwide. Congress found that the threat of private money damage liability under federal laws, including treble damage liability under federal antitrust law, unreasonably discourages physicians from participating in effective professional peer review, and that there is an overriding national need to provide incentive and protection for physicians engaging in effective professional review.

Your Committee has received testimony in support of the concurrent resolution from the Department of Health, the Department of Commerce and Consumer Affairs, the HealthCare Association of Hawaii, and the Hawaii Medical Association.

Your Committee finds that the report of this special study group will enable the Legislature to more effectively examine the various review procedures that exist in the public and private sectors and to determine what legislation will be required to bring Hawaii in compliance with the Health Care Quality Improvement Act of 1986.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.C.R. No. 155 and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola, Peters and Takamine.

SCRep. 1528 Consumer Protection and Commerce on H.R. No. 319

The purpose of this resolution is to request the Insurance Division of the Department of Commerce and Consumer Affairs and the Hawaii Insurance Rating Bureau to review the rates for workers' compensation insurance coverage for logging industry workers and to submit to the Legislature recommendations regarding how the rates can be lowered at least twenty days prior to the convening of the 1988 session.

Currently, logging and lumbering workers have the highest workers' compensation rate in the State and, perhaps, the nation. Because of this high rate, those in the logging industry are unable to operate their businesses properly. Your

Committee finds that the workers' compensation rate needs to be lowered in order for the State to have a viable forest industry.

Your Committee has received testimony in support of the resolution from the Insurance Commissioner, the Hawaii Insurance Rating Bureau, Inc., and the Hawaii Insurers Council.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.R. No. 319 and recommends its adoption.

Signed by all members of the Committee except Representative Peters.

SCRep. 1529 Health on H.R. No. 342

The purpose of this resolution is to request the Department of Health to prepare a report on the implications of the current Hawaii State Hospital construction plan on the overall future State mental health budget.

Your Committee received testimony in support of this resolution from the Department of Health, the Commission on the Handicapped, the Protection and Advocacy Agency of Hawaii, and the Mental Health Association in Hawaii. Testimony indicated that both institutional care and community care are necessary elements in the delivery system of mental health services, and also that a balance between both needs to be established. Since resources are limited, an over-emphasis of one will, in all probability, be detrimental to the other and also to the system as a whole. The report proposed in this resolution is expected to provide the information needed to determine how resources can be distributed so that an appropriate balance between institutional care and community care can be established.

The resolution has been amended to include in the report the total amount of State resources currently appropriated to serve the chronically mentally ill compared to the amount of resources appropriated for the State Hospital.

Your Committee on Health concurs with the intent and purpose of H.R. No. 342, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 342, H.D. 1.

Signed by all members of the Committee except Representative Peters.

SCRep. 1530 Health on H.C.R. No. 204

The purpose of this concurrent resolution is to request the Department of Health to prepare a report on the implications of the current Hawaii State Hospital construction plan on the overall future State mental health budget.

Your Committee received testimony in support of this concurrent resolution from the Department of Health, the Commission on the Handicapped, the Protection and Advocacy Agency of Hawaii, and the Mental Health Association in Hawaii. Testimony indicated that both institutional care and community care are necessary elements in the delivery system of mental health services, and also that a balance between both needs to be established. Since resources are limited, an over-emphasis of one will, in all probability, be detrimental to the other and also to the system as a whole. The report proposed in this concurrent resolution is expected to provide the information needed to determine how resources can be distributed so that an appropriate balance between institutional care and community care can be established.

The concurrent resolution has been amended to include in the report the total amount of State resources currently appropriated to serve the chronically mentally ill compared to the amount of resources appropriated for the State Hospital.

Your Committee on Health concurs with the intent and purpose of H.C.R. No. 204, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 204, H.D. 1.

Signed by all members of the Committee except Representative Peters.

SCRep. 1531 Planning, Energy and Environmental Protection on H.R. No.
446

The purpose of this resolution is to request the Department of Health to meet with the House Committee on Planning, Energy and Environmental Protection during the legislative interim to resolve problems and deficiencies within the 1987 management and program audit; to cooperate with the Legislature on planning for a new Department of the Environment; and to submit a report of plans to the Legislature twenty days before the 1988 session.

Your Committee finds that the Environmental Protection and Health Services Division of the Department of Health is the lead State agency in charge of implementing the State's major environmental protection and health services programs and thus, plays an important role in the protection of Hawaii's people and environment. Your Committee further finds that the importance of the Environmental Protection and Health Service Division's role and function in the State of Hawaii was further reinforced by the Legislative Reference Bureau's recommendation to elevate the division's status to that of a department.

Your Committee further finds that pursuant to H.C.R. No. 46, 1986, the Office of the Legislative Auditor submitted a formal review and management audit of the division which concluded that due to the Department of Health's failure to develop a cohesive management framework for the division and to clearly delineate the functions and responsibilities of the division's top administrative officials, the division is currently lacking in leadership and direction. The report also concluded that the division's lack of direction, neglect regarding monitoring and evaluation, and arbitrary handling of budgetary matters are further evidence of serious deficiencies within the division.

Your Committee feels that it is of paramount importance that these deficiencies are rectified in an expeditious matter and that plans are developed for the reorganization of the Environmental Protection and Health Services Division into a separate department.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of H.R. 446 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representative Bunda.

SCRep. 1532 Planning, Energy and Environmental Protection on H.C.R.
No. 273

The purpose of this concurrent resolution is to request the Department of Health to meet with the House Committee on Planning, Energy and Environmental Protection during the legislative interim to resolve problems and deficiencies within the 1987 management and program audit; to cooperate with the Legislature on planning for a new Department of the Environment; and to submit a report of plans to the Legislature twenty days before the 1988 session.

Your Committee finds that the Environmental Protection and Health Services Division of the Department of Health is the lead State agency in charge of implementing the State's major environmental protection and health services programs and thus, plays an important role in the protection of Hawaii's people and environment. Your Committee further finds that the importance of the Environmental Protection and Health Service Division's role and function in the State of Hawaii was further reinforced by the Legislative Reference Bureau's recommendation to elevate the division's status to that of a department.

Your Committee further finds that pursuant to H.C.R. No. 46, 1986, the Office of the Legislative Auditor submitted a formal review and management audit of the division which concluded that due to the Department of Health's failure to develop a cohesive management framework for the division and to clearly delineate the functions and responsibilities of the division's top administrative officials, the division is currently lacking in leadership and direction. The report also concluded that the division's lack of direction, neglect regarding monitoring and evaluation, and arbitrary handling of budgetary matters are further evidence of serious deficiencies within the division.

Your Committee feels that it is of paramount importance that these deficiencies

are rectified in an expeditious matter and that plans are developed for the re-organization of the Environmental Protection and Health Services Division into a separate department.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of H.C.R. 273 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representative Bunda.

SCRep. 1533 Planning, Energy and Environmental Protection on H.R. No.
399

The purpose of the resolution is to urge the Department of Transportation to adopt the necessary rules regarding the discharge or leakage of water pollutants from vessels into State waters.

Your Committee finds that recent incidents involving the discharge or leakage of crude oil into the State's waters have brought light to the fact that the State is in need of better defining its rules and laws governing the regulation and prevention of such releases. The likelihood of permanent damage to Hawaii's marine environment as a result of intentional or negligent water pollution is great enough to suggest the need for stringent rules, laws and environmental impact determination procedures regarding the discharge of pollutants into or upon State waters.

While it occurs with the intent of this resolution, your Committee has amended this measure to request the Department of Health to be included as a party to the development of needed legislation, rules and environmental impact determination procedures in regard to pollutant releases into or upon the State's waters. This amendment has been made in response to the fact that the Department of Health has recently been designated as the State's lead representative on the Federal Environmental Protection Agency's Region IX-Oceania Regional Response Team. Therefore this resolution, including its title, has been amended to reflect this situation.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of H.R. No. 399, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 399, H.D. 1.

Signed by all members of the Committee except Representative Bunda.

SCRep. 1534 Planning, Energy and Environmental Protection on H.R. No.
375

The purpose of this resolution is to request the Public Utilities Commission to discuss and study the means of developing least-cost planning programs for the State's electric utilities.

Your Committee finds that several states on the mainland have adopted a "least-cost planning" approach to minimize the cost of electrical services to their consumers. This approach to utility service planning ensures both environmental as well as economic benefits to the community.

Your Committee has amended this resolution, including its title, by requesting that the discussion and review of least-cost planning take place during a seminar-workshop sponsored by the Department of Planning and Economic Development scheduled for May 1987 rather than the June 1987 workshop sponsored by the Public Utilities Commission. Your Committee finds that the DPED seminar-workshop specifically includes least-cost planning as a part of its agenda.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of H.R. No. 375, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 375, H.D. 1.

Signed by all members of the Committee except Representative Bunda.

SCRep. 1535 Education on H.R. No. 413

The purpose of this resolution is to request an interim study of the concept of year-round public schools.

The Department of Education (Department) testified that this resolution is not needed because the Department has already studied this concept as it has now operated in mainland school systems for over a year and has examined a report prepared by the Legislative Reference Bureau in 1972.

Your Committee finds that there is considerable misunderstanding in the community as to the definition of year-round school and that the Department has not yet sought out the opinion of students, parents, teachers, unions, and other affected persons on a statewide basis. Interim hearings by your Committee would be beneficial to the Legislature in gathering information for future decision-making on this significant change in the way we educate our children.

Your Committee on Education concurs with the intent and purpose of H.R. No. 413 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee.

SCRep. 1536 Education on H.R. No. 415

The purpose of this resolution is to request that the Governor release funds for the design of an expansion and renovation of the Hawaii State Library, Oahu, and to request that your Committee on Education hold interim hearings to investigate safety conditions at the library and to monitor the progress of the design project.

Your Committee finds that the deterioration of the Hawaii State Library raises serious questions of public safety which must be addressed immediately.

Your Committee on Education concurs with the intent and purpose of H.R. No. 415 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee.

SCRep. 1537 Education on H.R. No. 295

The purpose of this resolution is to request that the Department of Education establish Hawaiian medium classes in elementary schools and pilot four Hawaiian language immersion/maintenance programs at Puuwai on Niihau, Waimea on Kauai, Hilo on the Big Island, and Honolulu.

The Office of Hawaiian Affairs testified in support of this resolution, expressing the need to reestablish the Hawaiian language in order to perpetuate Hawaiian culture.

Punana Leo, a Hawaiian language immersion school, 'Ahahui 'Olelo Hawai'i, a professional Hawaiian language organization, Parent Committee of the Punana Leo O Hilo, and chairmen of both the Hawaiian Studies Program and the Performing Arts Department of the University of Hawaii at Hilo, expressed strong support of this resolution.

The Department of Education in its testimony stated that it has been working with the concerned parties to address the issues raised in this resolution. The title has been amended to reflect support for the efforts by the Department to establish Hawaiian medium classes in elementary schools. Other changes further clarify the collaborative relationship between the Department and interested parties.

Your Committee on Education concurs with the intent and purpose of H.R. No. 295, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 295, H.D. 1.

Signed by all members of the Committee except Representative Levin.

SCRep. 1538 Education on H.R. No. 441

The purpose of this resolution is to request that the Board of Education review and prepare a report on the current programs available for in-service training for teachers and make recommendations for improvements.

The Department of Education testified in favor of this resolution.

Your Committee finds that in order to insure that teachers are given every opportunity to meet the demands of their profession, a comprehensive plan for in-service training needs to be developed.

Your Committee on Education concurs with the intent and purpose of H.R. No. 441 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1539 Education on H.R. No. 442 (Majority)

The purpose of this resolution is to request that the President of the University of Hawaii arrange a meeting to discuss education policy with Dr. John I. Goodlad, the leadership of the State House of Representatives, and the chairman of the House Education Committee.

The Department of Education (Department) supported this resolution and recommends that the University of Hawaii College of Education, the Department, Kamehameha Schools, and other educational institutions be included in the meeting. The Department also felt that the inclusion of the other organizations would be compatible with the Hawaii School/University Partnership, which supports educational reform. The University of Hawaii also testified in favor of this resolution.

Your Committee believes that the benefits that could be derived from this meeting with Dr. Goodlad warrant serious consideration.

Your Committee on Education concurs with the intent and purpose of H.R. No. 442 and recommends its adoption.

Signed by all members of the Committee.
(Representative Taniguchi did not concur.)

SCRep. 1540 Education on H.R. No. 414

The purpose of this resolution is to request the Board of Education to conduct an evaluation of the present program of reading and writing instruction in the public schools.

The Department of Education (Department) testified that this resolution is not necessary because the Department has already instituted a plan to support school level efforts to improve basic skills instruction in all content areas by sending support teams into the schools, and that a task force has been formed to develop a language arts educational program with consideration given to optimum class size ratios and effective instructional strategies to enhance student skills in the language arts.

Your Committee finds that improvement of language skills programs in the public schools must be achieved as quickly as possible.

The title and language of this resolution have been amended to request that the Board of Education conduct an evaluation of the Department's efforts to assess and improve reading and writing instruction in the public schools, including an assessment of the plan to send support teams into the schools. The resolution has also been amended to request the Board of Education to evaluate the progress of the task force developing the language arts educational program.

Your Committee on Education concurs with the intent and purpose of H.R. No. 414, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 414, H.D. 1.

Signed by all members of the Committee.

SCRep. 1541 Education on H.R. No. 419

The purpose of this resolution is to request the Department of Education to conduct a study on the feasibility of establishing a library on the North Shore of Kauai.

The State Librarian testified in favor of this resolution.

The Board of Education has control over the State library system which is managed by the State Librarian. This resolution and its title have been amended accordingly.

Your Committee on Education concurs with the intent and purpose of H.R. No. 419, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 419, H.D. 1.

Signed by all members of the Committee.

SCRep. 1542 Education on H.R. No. 106

The purpose of this resolution is to request that the Comptroller prepare a study on the cost of portable classrooms and recommend ways to reduce costs.

Your Committee finds that there is a greater need for portable classrooms in the public schools because of increasing student enrollment and the implementation of class size reduction, and that ways must be found to reduce the cost of portables.

This resolution has been amended to request consideration of alternative types of portable classrooms such as mobile classrooms.

Your Committee on Education concurs with the intent and purpose of H.R. No. 106, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 106, H.D. 1.

Signed by all members of the Committee except Representative Bunda.

SCRep. 1543 Ocean and Marine Resources on H.R. No. 405

The purpose of this resolution is to request the Department of Transportation and the Department of Land and Natural Resources to implement applicable recommendations of the Hanalei/North Shore area of Kauai which the Departments deem appropriate and necessary.

This resolution specifically requests administrative rules be adopted, to the greatest extent possible, to establish a permit system to regulate water, beach and park use, to limit the size of vessels permitted to operate in the North Shore area, to establish rules for speed limits for vessels, and to establish rules for special areas and designated swimming areas.

Your Committee finds that the increase in visitor and resident populations and the proliferation of commercial operators offering windsurfing, scuba diving, snorkeling, riding on a variety of vessels, and other marine activities has created legitimate concern among North Shore residents. Your Committee further finds that the appropriate ad hoc committee's recommendations would take steps to address these concerns.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.R. No. 405 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1544 Consumer Protection and Commerce on H.R. No. 426

The purpose of this resolution is to request the Chairman of the House Committee on Consumer Protection and Commerce to conduct an interim study to examine whether increased competition in the banking industry would benefit the banking industry and provide greater variety and choice for the consumer, including the

provisions of legislative measures introduced during the Regular Session of 1987. The resolution also requests the Chairman to submit a report of findings and recommendations to the Legislature twenty days prior to the convening of the Regular Session of 1987.

Your Committee has received testimony in support of the resolution from the Commissioner of Financial Institutions and the Hawaii Bankers' Association.

Your Committee finds that this interim study will provide the House Committee on Consumer Protection and Commerce an opportunity to review the advantages and disadvantages of increased competition, including the effects of interstate banking on the consumer and the banking industry. To better understand the matter, your Committee has amended the resolution to include an examination of the circumstances that have led certain states to pass interstate banking laws and the resultant experiences of these states.

Your Committee has also made technical, nonsubstantive amendments for purposes of style and clarity.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.R. No. 426, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 426, H.D. 1.

Signed by all members of the Committee except Representative Peters.

SCRep. 1545 Consumer Protection and Commerce on H.R. No. 424

The purpose of this resolution is to request the House Committee on Consumer Protection and Commerce to conduct an interim study to examine the mechanics certification program of the Motor Industry Repair Board. The interim study shall include, but shall not be limited to, the examination of the proposed legislative measures introduced during the Regular Session of 1987.

Your Committee finds there is need for more certified auto mechanics and greater responsiveness to the needs of persons desiring to become certified auto mechanics. Your Committee also finds current certification tests are of questionable validity and reliability. Furthermore, practical examinations are not administered on the neighbor islands and those administered on Oahu do not reflect current standard practices of the industry.

Your Committee has made technical, nonsubstantive amendments for purposes of style and clarity.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.R. No. 424, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 424, H.D. 1.

Signed by all members of the Committee except Representatives Cachola, Metcalf, Peters, Takamine, Jones and Medeiros.

SCRep. 1546 Consumer Protection and Commerce on H.R. No. 425

The purpose of this resolution is to request the the House Committee on Consumer Protection and Commerce to conduct an interim study to examine indemnification of corporate officers as a means of resolving the problems stemming from the unavailability of insurance, and include an examination of other jurisdictions which have enacted laws which indemnify corporate officers.

Your Committee has received testimony in support of the resolution from the Hawaii Society of Corporate Secretaries and representatives from other interested parties.

Your Committee finds that costs for directors' and corporate officers' insurance coverage have dramatically increased in recent years. Furthermore, when coverage is available it includes exclusion provisions which provide little protection. Moreover in many other cases, directors' and officers' insurance is simply not available.

Your Committee has amended the resolution by including "limitation of liability" to broaden the scope of the study in the title of the resolution and in the last paragraph of page 1 of the resolution.

Your Committee also has made technical, nonsubstantive amendments for purposes of style and clarity.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.R. No. 425, as amended herein, and recommends that it be referred to the Committee on Legislative Management, in the form attached hereto as H.R. No. 425, H.D. 1.

Signed by all members of the Committee except Representative Peters.

SCRep. 1547 Consumer Protection and Commerce on H.R. No. 422

The purpose of this resolution, as received by your Committee, is to request the State Insurance Commissioner to examine the insurance coverage requirements for tour boat, bus, taxi, and limousine service operators in comparison to those of other states to determine whether the present insurance coverage requirements are sufficient to protect the State from liability and to promote the Hawaii tour industries reputation for reliability and safety.

This resolution, as received by your Committee, also requests the Public Utilities Commission (PUC) to place a moratorium on the granting of any new PUC licenses for tour boat, bus, taxi, and limousine service operators until the Department of Transportation, Harbors and Airport Division and the State Insurance Commission have established appropriate insurance coverage requirements and enforcement procedures in accordance with this resolution.

Your Committee has received testimony in support of the resolution from the Insurance Commissioner, the Public Utilities Commissioner, and several interested parties.

Your Committee finds that some tour boat, bus, taxi, and limousine service operators are utilizing the State airport and harbor areas for commercial purposes without the proper insurance coverage as required by the State Department of Transportation. The continued use of the State harbor areas and airport areas without proper insurance coverage exposes the State of Hawaii to serious liability.

Your Committee has amended the resolution by deleting the State Insurance Commissioner and replacing it with the Department of Transportation to conduct the examination of the insurance coverage requirements. It is with the understanding, however, that the State Insurance Commissioner shall become involve with the study.

Your Committee also has amended the resolution by deleting the paragraph requesting the Public Utilities Commission to place a moratorium on the granting of any new PUC licenses, but have requested, instead, that the PUC check the adequacy of insurance coverage before granting any new PUC licenses for tour boat, bus, taxi, and limousine service operators and before allowing the transfer of licenses between taxi service operators until the Department of Transportation, Harbors and Airport Division, has established the appropriate insurance coverage requirements and enforcement procedures.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.R. No. 422, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 422, H.D.1

Signed by all members of the Committee except Representatives Bellinger, Metcalf, Peters and Yoshimura.

SCRep. 1548 Consumer Protection and Commerce on H.C.R. No. 258

The purpose of this concurrent resolution, as received by your Committee, is to request the State Insurance Commissioner to examine the insurance coverage requirements for tour boat, bus, taxi, and limousine service operators in comparison to those of other states to determine whether the present insurance coverage requirements are sufficient to protect the State from liability and to

promote the Hawaii tour industries reputation for reliability and safety.

This concurrent resolution, as received by your Committee, also requests the Public Utilities Commission (PUC) to place a moratorium on the granting of any new PUC licenses for tour boat, bus, taxi, and limousine service operators until the Department of Transportation, Harbors and Airport Division and the State Insurance Commission have established appropriate insurance coverage requirements and enforcement procedures in accordance with this concurrent resolution.

Your Committee has received testimony in support of the concurrent resolution from the Insurance Commissioner, the Public Utilities Commissioner, and several interested parties.

Your Committee finds that some tour boat, bus, taxi, and limousine service operators are utilizing the State airport and harbor areas for commercial purposes without the proper insurance coverage as required by the State Department of Transportation. The continued use of the State harbor areas and airport areas without proper insurance coverage exposes the State of Hawaii to serious liability.

Your Committee has amended the concurrent resolution by deleting the State Insurance Commissioner and replacing it with the Department of Transportation to conduct the examination of the insurance coverage requirements. It is with the understanding, however, that the State Insurance Commissioner shall become involve with the study.

Your Committee also has amended the concurrent resolution by deleting the paragraph requesting the Public Utilities Commission to place a moratorium on the granting of any new PUC licenses, but have requested, instead, that the PUC check the adequacy of insurance coverage before granting any new PUC licenses for tour boat, bus, taxi, and limousine service operators and before allowing the transfer of licenses between taxi service operators until the Department of Transportation, Harbors and Airport Division, has established the appropriate insurance coverage requirements and enforcement procedures.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.C.R. No. 258, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 258, H.D.1

Signed by all members of the Committee except Representatives Bellinger, Metcalf, Peters and Yoshimura.

SCRep. 1549

Consumer Protection and Commerce on H.R. No. 423

The purpose of this resolution is to request the Real Estate Commission to study the advisability of statutorily requiring that licensees and non-licensees ascertain and disclose pertinent facts in residential real estate transactions. The facts to be disclosed would include flood hazard zone areas, noise exposure areas, air installation compatibility use zone areas and tsunami areas. The study would also consider mandating written disclosure for licensees and non-licensees of all pertinent facts in residential real estate transactions and requiring procedures for the use of "as is" residential sales.

Your Committee received favorable testimony from the Hawaii Association of Realtors.

There is a growing concern that legislation may be necessary so that the consumer and the real estate broker or salesperson are clear as to what must be disclosed about the condition or location of a property. These considerations will ensure that a more complete evaluation of all potential hazards will be available to prospective real property buyers.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.R. No. 423 and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola, Metcalf, Peters, Takamine, Jones and Medeiros.

SCRep. 1550 Consumer Protection and Commerce on H.C.R. No. 259

The purpose of this concurrent resolution is to request the Real Estate Commission to study the advisability of statutorily requiring that licensees and non-licensees ascertain and disclose pertinent facts in residential real estate transactions. The facts to be disclosed would include flood hazard zone areas, noise exposure areas, air installation compatibility use zone areas and tsunami areas. The study would also consider mandating written disclosure for licensees and non-licensees of all pertinent facts in residential real estate transactions and requiring procedures for the use of "as is" residential sales.

Your Committee received favorable testimony from the Hawaii Association of Realtors.

There is a growing concern that legislation may be necessary so that the consumer and the real estate broker or salesperson are clear as to what must be disclosed about the condition or location of a property. These considerations will ensure that a more complete evaluation of all potential hazards will be available to prospective real property buyers.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.C.R. No. 259 and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola, Metcalf, Peters, Takamine, Jones and Medeiros.

SCRep. 1551 Ocean and Marine Resources and Water, Land Use, Development and Hawaiian Affairs on on H.R. No. 318

The purpose of this resolution is to request a study by the Department of Planning and Economic Development on the feasibility of supporting the Super-Outrigger project, which may help solve the Honolulu commuter problem and carry passengers to the Neighbor Islands.

Your Committee heard testimony on the expected benefits of the Super-Outrigger: namely, that it combines speed, economy, and passenger comfort even in high waves.

It is estimated that a Super-Outrigger Program could carry 500 - 1,000 passengers and reach a speed of 40 miles an hour through heavy seas. In addition to passenger transportation, the Super-Outrigger could begin a new type of inter-island freight service, cheaper than air cargo, yet for all practical purposes equally fast.

Your Committees on Ocean and Marine Resources and Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 318 and recommends its adoption.

Signed by all members of the Committees.

SCRep. 1552 Education on H.R. No. 444

The purpose of this resolution is to urge the Department of Education to involve evaluators early in the development of any new program and thereafter so that the goals and objectives of the program may be fully understood.

The Department of Education testified in favor of this resolution.

Your Committee finds that the issues raised in this resolution are pertinent to program development and evaluation.

Your Committee on Education concurs with the intent and purpose of H.R. No. 444 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1553 Finance on H.R. No. 118

The purpose of this resolution is to request the Department of Accounting and General Services to conduct an audit of the operation and maintenance programs of all public buildings, including but not limited to repairs to facilities.

Your Committee finds that the public's safety, health and welfare while on the premises of State builders can be ensured by on-going preventive and corrective maintenance of all State buildings.

Your Committee on Finance is in accord with the intent and purpose of H.C.R. No. 118 and recommends its adoption.

Signed by all members of the Committee except Representatives Fukunaga and Kawakami.

SCRep. 1554 Finance on H.C.R. No. 38

The purpose of this concurrent resolution is to request the Department of Accounting and General Services of the State of Hawaii to revise its form entitled "Bond for Lost Warrant" to require only notarization of the payee's signature.

Your Committee finds the requirement in the form are outdated in its purposes to the payees who have lost such a warrant issued by the State.

Your Committee on Finance is in accord with the intent and purposes of H.C.R. No. 38 and recommends its adoption.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 1555 Finance on H.C.R. No. 165

The purpose of this concurrent resolution is to request the Department of Accounting and General Services to develop a program for the construction of security screens for the public schools by inmates of the State's correctional facilities.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 165 and recommends its adoption.

Signed by all members of the Committee except Representatives Fukunaga, Kawakami and Leong.

SCRep. 1556 Finance on H.R. No. 87

The purpose of this resolution is to request the Director of Taxation to report to the Legislature regarding the collection of delinquent taxes.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 87 and recommends its adoption.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 1557 Finance on H.C.R. No. 128

The purpose of this concurrent resolution is to have the Department of Education consider the construction of a permanent sixteen classroom building at Kaimiloa Elementary School.

The Department of Education, the Parent Teacher Organization of Kaimiloa School, and the school's principal testified in favor of the need for construction of a permanent classroom structure to house the expanding enrollment at Kaimiloa Elementary School. The school has over forty-five percent of its students in portable classrooms, while other schools in the area have zero to less than twenty percent of their students in portables.

Problems that graphically describe conditions which are intolerable for a good

learning environment include: vandalism with sixty-one break-ins and eleven maliciously set fires since 1972, hot classrooms, and noise caused by aircraft approaching the busy Honolulu International Airport and Hickam Air Force Base corridor over the school.

The Department has experienced chronic financial losses due to arson and vandalism of the portables because the portables are more difficult to safeguard than the permanent building.

The Department of Education concurred with the intent of this concurrent resolution and will request the funding for the sixteen permanent classrooms in the fiscal biennium 1989-1991 budget within the priority guidelines.

Your Committee finds there is a need for the sixteen classroom building and requests that the Department of Education reconsider its priority for this project.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 128, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Arakaki, Fukunaga, Kanoho, Kawakami, Leong and Tajiri.

SCRep. 1558 Finance on H.C.R. No. 150

The purpose of this concurrent resolution is to request that the Department of Health implement the recommendation of the Legislative Auditor and the Office of Environmental Quality Control in order to improve the department's food and drug program.

Currently, the Department of Health has begun to work on several of the administrative recommendations made by the Legislative Auditor and the Office of Environmental Quality Control. Another proposal which is being considered is the reorganization of the entire Environmental Protection and Health Services Division, of which the food and drug program is a part. By reorganizing the division, the Department of Health believes they will be able to strengthen the management and improve the effectiveness of their environmental programs.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 150, and recommends its adoption.

Signed by all members of the Committee except Representatives Kawakami and Leong.

SCRep. 1559 Finance on H.R. No. 88

The purpose of this resolution is to request that the Department of Budget and Finance study the feasibility, costs, and benefits of consolidating the various State loan funds into one fund for the purpose of investment and management by the Department of Budget and Finance; provided the respective agencies continue to have the authority to approve or disapprove accounts, receive and monitor payments, and receive interest earned on the invested fund on a pro rata basis.

The Department of Budget and Finance administers the investments of special funds separately for the various State departments such as small and large vessel loan funds, the capital loan fund, the State higher education loan fund, and the agriculture and aquaculture revolving loan funds.

The substantial funds, if consolidated and invested, may yield a higher return than earnings from separate funds without substantial costs or risks.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 88 and recommends its adoption.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 1560 Finance on H.C.R. No. 48

The purpose of this concurrent resolution is to request that the Department of

Budget and Finance study the feasibility, costs, and benefits of consolidating the various State loan funds into one fund for the purpose of investment and management by the Department of Budget and Finance; provided the respective agencies continue to have the authority to approve or disapprove accounts, receive and monitor payments, and receive interest earned on the invested fund on a pro rata basis.

The Department of Budget and Finance administers the investments of special funds separately for the various State departments such as small and large vessel loan funds, the capital loan fund, the State higher education loan fund, and the agriculture and aquaculture revolving loan funds.

The substantial funds, if consolidated and invested, may yield a higher return than earnings from separate funds without substantial costs or risks.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 48 and recommends its adoption.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 1561 Finance on H.R. No. 61

The purpose of this resolution is to urge the implementation of the emergency "911" public access system for police, fire, emergency ambulance, and other urgent public services throughout the State.

"911" is a universal telephone numbering plan which is designed to assist the public in contacting community emergency service agencies during times of emergency in the fastest and easiest manner possible.

"911" was established in Honolulu in 1975. Maui began its service in 1979, and Kauai began in 1981. The county of Hawaii has not subscribed to "911" service because of the high cost of providing the service throughout that island.

The implementation of the "911" emergency service will benefit the residents of the County of Hawaii by improving that county's response time to emergency cases. For the county to implement such a service, it will require an estimated amount of \$36,000.00 for installation charges and an estimated amount of \$160,000.00 for its first year of total annual charges. Your Committee agrees that the State should provide funds for approximately one-half of the installation charges, and one-half of the total annual charges for the first year of operation.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 61, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 1562 Finance on H.C.R. No. 34

The purpose of this concurrent resolution is to urge the implementation of the emergency "911" public access system for police, fire, emergency ambulance, and other urgent public services throughout the State.

"911" is a universal telephone numbering plan which is designed to assist the public in contacting community emergency service agencies during times of emergency in the fastest and easiest manner possible.

"911" was established in Honolulu in 1975. Maui began its service in 1979, and Kauai began in 1981. The county of Hawaii has not subscribed to "911" service because of the high cost of providing the service throughout that island.

The implementation of the "911" emergency service will benefit the residents of the County of Hawaii by improving that county's response time to emergency cases. For the county to implement such a service, it will require an estimated amount of \$36,000.00 for installation charges and an estimated amount of \$160,000.00 for its first year of total annual charges. Your Committee agrees that the State should provide funds for approximately one-half of the installation charges, and one-half of the total annual charges for the first year of operation.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 34, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 1563 Finance on H.R. No. 231

The purpose of this resolution is to request the Internal Revenue Service to reconsider the enactment of restrictive rules and regulations relating to tax-exempt organizations established under Section 501 (c) (3) of the Internal Revenue Code.

Your Committee finds that the enactment of the proposed rules to be applied retroactively to January 1, 1977 would result in financial penalties and loss of privileges afforded Section 501 (c) (3) tax-exempt organizations.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 231 and recommends its adoption.

Signed by all members of the Committee except Representatives Fukunaga and Kawakami.

SCRep. 1564 Finance on H.C.R. No. 131

The purpose of this concurrent resolution is to request the Internal Revenue Service to reconsider the enactment of restrictive rules and regulations relating to tax-exempt organizations established under section 501 (c) (3) of the Internal Revenue Code.

Your Committee finds that the enactment of the proposed rules to be applied retroactively to January 1, 1977 would result in financial penalties and loss of privileges afforded section 501 (c) (3) tax-exempt organizations.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 131 and recommends its adoption.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 1565 Finance on H.R. No. 239

The purpose of this resolution is to request the Department of Accounting and General Services to develop and study alternatives to resolve parking problems of elected neighbor island officials who travel to Honolulu on a regular basis to testify, lobby, and conduct other government business at the State Capitol.

Your Committee finds that elected county officials from the neighbor islands experience the cumbersome task of feeding parking meters during hearings to avoid receiving parking tickets while on official government duty at the State Capitol.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 239 and recommends its adoption.

Signed by all members of the Committee except Representatives Horita and Kawakami.

SCRep. 1566 Finance on H.C.R. No. 137

The purpose of this concurrent resolution is to request the Department of Accounting and General Services to develop and study alternatives to resolve parking problems of elected neighbor island officials who travel to Honolulu on a regular basis to testify, lobby, and conduct other government business at the State Capitol.

Your Committee finds that elected county officials from the neighbor islands experience the cumbersome task of feeding parking meters during hearings to avoid receiving parking tickets while on official government duty at the State

Capitol.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 137 and recommends its adoption.

Signed by all members of the Committee except Representatives Horita and Kawakami.

SCRep. 1567 Consumer Protection and Commerce on S.B. No. 1002

The purpose of this bill, as received by your Committee, is to require a licensed real estate broker or salesman to attend ten hours of continuing education or its equivalent, as determined by the Real Estate Commission (Commission), during the two years prior to the license renewal. Failure to meet this requirement by the license expiration date would automatically result in the license becoming inactive. Reactivation of the license would occur only after the applicant has provided proof to the Commission of having satisfied the continuing education requirement.

Your Committee received testimony from the Real Estate Commission and Hawaii Association of Realtors in support of this bill.

Your Committee on Consumer Protection and Commerce is in accord with the intent and purpose of S.B. No. 1002 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Yoshimura.

SCRep. 1568 Water, Land Use, Development and Hawaiian Affairs on H.R. No. 46

The purpose of this resolution, as received by your Committee, is to request the Hawaii Visitors Bureau and the Department of Transportation to review the feasibility of sponsoring dragon boat races for economic development purposes.

Your Committee finds that in addition to dragon boat racing, the related sport of outrigger canoe paddling also has potential for development to expand the State economy. Outrigger canoe paddling events already attract a considerable number of participants and spectators statewide. The sport receives international attention during the annual Molokai to Oahu outrigger canoe race. Furthermore, the status of outrigger canoe paddling has been established since it is designated statutorily as the official State team sport. As an ancient Hawaiian sport which remains popular in Hawaii to this day, outrigger canoe paddling should also be included within the scope of the resolution.

Your Committee has amended the title and purpose of the resolution from a request for a study of dragon boat racing to a request for a study of championship canoe paddling. Specifically, the resolution was amended to request the Department of Planning and Economic Development, in conjunction with the Hawaii Water Sports Council, the Hawaii Visitors Bureau, and the various canoe clubs, to study the feasibility of developing in Hawaii international outrigger canoe paddling competitions, which may include dragon boat races.

Your Committee further amended the resolution to reflect testimony indicating the need to: (1) assess the availability of existing facilities to support such competitions; (2) determine any additional facilities which may be required; (3) project the economic benefits to be derived from establishing an international event in this State; and (4) assess other ocean activities which may be included in the event.

Upon further consideration, your Committee also amended the resolution to indicate the valuable national and international media exposure for Hawaii from large sporting events and the positive impact on the tourist industry. A world championship canoe paddling event could lead to Hawaii becoming the world center for canoe paddling and other ocean-related activities. With increased international interest, the impact of these activities may subsequently lead to the establishment of outrigger canoe paddling as an Olympic event.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs

with the intent and purpose of H.R. No. 46, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 46, H.D. 1.

Signed by all members of the Committee.

SCRep. 1569 Planning, Energy and Environmental Protection on H.R. No.
451

The purpose of this bill is to request the Department of Health (DOH) to review and recommend means of prohibiting or reducing the use of the organotin, TBT, in Hawaii, and to request that the Administrator of the U.S. Environmental Protection Agency (EPA) require producers of organotin paints to include leaching rates on the paint labels.

Your Committee finds that the EPA review of organotin compounds begun in early 1986 to determine their unintended effects on marine life and workers has been protracted from February 1986 and will not be released before September 1987. Your Committee further finds that the effects of organotin paints on marine biota and humans are, as of yet unclear, however, organotins are known to be responsible for toxicity to the human central nervous system. Additionally, acute health complaints are reported among persons using paints with epoxy materials.

The Organotin Advisory Committee, recently appointed by the Director of Health, is currently assessing the extent to which organotin antifouling paints are used throughout the State. The Committee is also reviewing existing data and obtaining new data to assess the environmental and health impacts of the use of these paints. Your Committee finds that the announcement by the Navy in 1986 of their intent to test the effectiveness of organotin paints on ships in Pearl Harbor makes it imperative that the State have access to specific data relating to the impact on tropical marine biota so that necessary precautions may be taken to ensure environmental safety.

Your Committee further finds that organotins are released in water at widely varying rates depending upon specific paint formulations. Your Committee feels that including leaching rates on labels will ensure that the public may select brands with slow leaching rates. The labeling would also be very helpful should there be a decision to band organotin paints based on their leaching rates. Similarly, if conclusive data is found showing the harmful effects of organotin paints on marine biota it would behoove the State to educate the public on the problems associated with these paints. Your Committee has thus amended this resolution to request the development of a coordinated public information program on the adverse effects of TBT.

Your Committee feels that the potential effects of this chemical are of sufficient concern to warrant a further amendment requesting the EPA to support studies, using indigenous species, of the impact of TBT on marine organisms in Hawaii.

Your Committee has further amended this resolution by adding clauses supporting the aforementioned amendments.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of H.R. No. 451, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 451, H.D. 1.

Signed by all members of the Committee.

SCRep. 1570 Intergovernmental Relations on S.C.R. No. 51

Your Committee has heard the companion House Concurrent Resolution No. 149.

Your Committee on Intergovernmental Relations concurs with the intent and purpose of S.C.R. No. 51, and recommends its adoption.

Signed by all members of the Committee except Representatives Jones and Medeiros.

SCRep. 1571 Intergovernmental Relations on S.C.R. No. 93

The purpose of this concurrent resolution is to create a Committee on Abandoned and Derelict Vehicles, comprised of representatives from the Federal, State, and City and County of Honolulu and to examine alternative solutions to reduce the number of abandoned and derelict vehicles on Oahu.

The City and County of Honolulu is charged with the removal of abandoned or derelict vehicles and meets with members of various community groups when requested to discuss problems of abandoned vehicles.

Your Committee is aware of the serious nature of this problem, especially on Oahu, and finds that cooperative efforts by all government sectors is essential in developing alternative solutions for reducing the abandoned and derelict vehicle population on Oahu.

Your Committee on Intergovernmental Relations concurs with the intent and purpose of S.C.R. No. 93, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola and Takamine.

SCRep. 1572 Intergovernmental Relations on S.C.R. No. 26

The purpose of this concurrent resolution is to request the Governor and Hawaii's congressional delegation to take action to exempt the Pearl Harbor Naval Shipyard from the federal government's new policy of requiring competitive bidding among Naval shipyards for major overhauls and other important ship repair jobs.

Starting February 1, 1988, a new federal government policy will require all "new threat update" overhauls to go out for competitive bidding. This policy will have a very serious impact on the Pearl Harbor Naval Shipyard because it will not be able to compete on an even basis with mainland shipyards because of the higher costs of labor and materials in Hawaii. This policy would also cause a large-scale dislocation of Hawaii's civilian workers employed by the Naval Shipyard.

Further, the USS Warden is scheduled to be overhauled in August 1988 at the Pearl Harbor Naval Shipyard. This scheduled overhaul may be impacted by this new policy and that would have a major effect on retention of jobs.

The Navy has been building, for the past six years, toward a 600 ship force. An active, efficient, and high technology oriented shipyard workforce such as we have at the Pearl Harbor Naval Shipyard is a major asset of that maritime strategy.

Your Committee finds that because of Hawaii's strategic location, the Pearl Harbor Naval Shipyard is of extreme importance to the defense of our country. Maintaining a strong and proficient facility in the Pacific should be the most compelling reason for the Navy and for Congress to exempt the Pearl Harbor Naval Shipyard from the new competitive bidding policy, and to keep the USS Warden overhaul at the Pearl Harbor Naval Shipyard.

Your Committee on Intergovernmental Relations concurs with the intent and purpose of S.C.R. No. 26, and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola and Takamine.

SCRep. 1573 Transportation on S.C.R. No. 145

The purpose of this concurrent resolution is to request the Department of Transportation to use funds from federal aid programs and funds presently allocated for bikeways development from the State highway fund to revise Bikeplan Hawaii. The revised report shall include a description of policies, programs, and facilities that may be utilized to promote safe and effective integration of bicyclists into the Hawaii transportation system.

Bikeplan Hawaii was originally formulated in 1977. Since the State's masterplan for bicycle transportation is now 10 years old, there is a need to revise this plan to keep up with the latest bicycle transportation planning standards and criteria.

Your Committee finds that the bicycle is a viable alternative mode of transportation which should be promoted, especially as the State is faced with increasing traffic congestion.

Your Committee therefore finds that the revision of Bikeplan Hawaii is now timely and efforts should be made by the Department of Transportation to pursue funding through available sources for this revision.

Your Committee on Transportation is in accord with the intent and purpose of S.C.R. No. 145 and recommends its adoption.

Signed by all members of the Committee except Representative Takamine.

SCRep. 1574 Transportation on S.C.R. No. 113

The purpose of this concurrent resolution is to request Congress to allow the State of Hawaii to regulate the flight and altitude patterns of helicopters engaged in intrastate air travel.

Helicopter traffic within the State of Hawaii has increased tremendously in the past few years. The majority of the helicopter traffic has been generated by tour operators, some of whom fly over residential areas to show scenic and remote portions of our islands to their customers. The increased traffic has caused excessive noise levels and adverse environmental effects.

Previous attempts by local and state governments to regulate this industry have been preempted by the federal government, which controls the airspace as well as operational safety and certification of aircraft. Hawaii, as well as other state and local governments has requested the Federal Aviation Administration to improve its regulation of helicopter flight and altitude patterns with little success.

Within the framework of federal regulations, a voluntary program of noise abatement procedures has been recommended by the helicopter operators of the State. With no regulatory authority, however, it has not been effective.

Your Committee finds that there is a great need for a set of enforceable rules for these aircraft and their flight and altitude patterns. The safety and welfare of the State's citizens and its visitors, as well as the State's precious and fragile land resources, are being compromised due to this deficiency.

Your Committee on Transportation is in accord with the intent and purpose of S.C.R. No. 113 and recommends its adoption.

Signed by all members of the Committee except Representative Takamine.

SCRep. 1575 Legislative Management on H.R. No. 395

The purpose of this resolution is to request the Legislative Reference Bureau to study the frequency of tort claims filed against nonprofit sports organizations and their volunteers in Hawaii and other states. The study would also determine whether or not the number of suits has been increasing, and determine how other jurisdictions of similar size and circumstances are dealing with the issues of tort protection for these organizations and volunteers.

Your Committee acknowledges the valuable work provided by volunteers in nonprofit sports programs, particularly those programs that serve the youth of our community. There is some concern, however, on the part of the organizations and volunteers that they may be the target of tort suits and may therefore need some sort of legislative protection or a method to meet the rapidly rising liability insurance premiums to continue their work.

Your Committee is uncertain of the extent of this problem, and has therefore amended the resolution to request a report on the scope of the problem and on legislative remedies in other states, rather than an extensive study.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 395, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 395, H.D. 1.

Signed by all members of the Committee except Representatives Apo and Souki.

SCRep. 1576 Legislative Management on H.R. No. 151

The purpose of this resolution is to request that a study be conducted by the Legislative Reference Bureau to determine if there is a need for State regulation of pet lodges and, if so, to make recommendations for appropriate legislation.

Your Committee finds that there exists considerable concern on the part of pet owners that pet lodges operating in the State may not be providing appropriate care for pets. It has also been found in some cases that pets are not fed and exercised properly, that owners are overcharged for the boarding, and that the pets are not adequately rid of fleas and ticks.

Your Committee is not certain about the extent of these problems, and has therefore amended the resolution to request a report on the scope of the problem, rather than a more extensive study. It expects that if a significant problem is discovered, the Bureau will be in a position to recommend legislation, or at least recommend further study.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 151, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 151, H.D. 1.

Signed by all members of the Committee except Representatives Apo and Souki.

SCRep. 1577 Water, Land Use, Development and Hawaiian Affairs; Housing
and Community Development; and Transportation on H.R. No.
433

The purpose of this resolution is to request that a House interim committee study the feasibility of establishing a State agency to coordinate and promote the redevelopment of Honolulu's waterfront area and adjacent inland areas.

Your Committees received testimony in favor of the resolution and find that it is appropriate to develop a comprehensive approach to the further development of the waterfront area extending from Keehi Lagoon to Ala Moana Beach Park.

Your Committees on Water, Land Use, Development and Hawaiian Affairs; and Housing and Community Development; and Transportation concur with the intent and purpose of H.R. No. 433 and recommend that it be referred to the Committee on Legislative Management.

Signed by all members of the Committees except Representative Peters.

SCRep. 1578 Consumer Protection and Commerce on S.B. No. 1283

The purpose of this bill is to allow industrial loan companies to charge fees for insurance premiums paid for insuring personal property not used as a security on a contract and for premiums for involuntary unemployment insurance.

Your Committee received testimony in support of the bill from the Commissioner of Financial Institutions and the Hawaii Financial Services Association.

Your Committee on Consumer Protection and Commerce is in accord with the intent and purpose of S.B. No. 1283, S.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Yoshimura.

SCRep. 1579 Consumer Protection and Commerce on S.B. No. 1284

The purpose of this bill, as received by your Committee, is to remove the limitation on the amount of credit life insurance available to borrowers. Current law places a limit of \$20,000 on the initial amount of credit life insurance. This bill would set the limit at the total amount of indebtedness, without specific limitation.

Your Committee received testimony from the Department of Commerce and Consumer Affairs and the Hawaii Financial Services Association in favor of this bill.

Your Committee on Consumer Protection and Commerce is in accord with the intent and purpose of S.B. No. 1284, S.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Yoshimura and Jones.

SCRep. 1580 Finance on S.B. No. 968

The purpose of this bill is to authorize the issuance of special purpose revenue bonds to finance a hydroelectric powerplant on the Honolii stream in Hawaii County by the Mauna Kea Power Company, Inc.

Energy self-sufficiency is in the public interest. However, your Committee has no information about the environmental effects of this particular project. Therefore, its endorsement of the issuance of special purpose revenue bonds should not be interpreted as a finding that this particular project should be uniquely favored or given greater deference than would any other project which must go through appropriate hearings and evaluation prior to be granted permission by the State and County to proceed.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 968, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1581 Finance on S.B. No. 1295

The purpose of this bill is to establish a Guangdong Province special exchange program within the Department of Planning and Economic Development to promote better understanding between the People's Republic of China and Hawaii on matters of economic development, mutual trade, education, cultural exchange, and other activities. It provides for selected residents to teach at a school, study the cultural, social or economic practices of China, or conduct research on issues that would promote a better understanding of the ways of life within the two regions and assist both regions in fulfilling their economic potentials.

The program would be guided by an advisory committee and funded by an appropriation of \$25,000 to the Governor's Office for fiscal year 1987-88.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 1295, S.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1582 Finance on S.B. No. 1431

The purpose of this bill is to establish a State coordinating council on deafness. In addition, this bill appropriates moneys for the staff and operation of the council and for interpreter fees for State programs and activities which do not receive federal funds.

At the present time, a State coordinating council on deafness exists within the Department of Social Services and Housing which serves to provide better communication, coordination, and access to services for the hearing impaired community. The efforts and functions of the council have been limited, however, because of lack of staff and operating funds. Also, there is no one agency in

the State which coordinates interpreter services for the hearing impaired. This bill will meet these needs.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 1431, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1583 Ocean and Marine Resources on S.C.R. No. 58

The purpose of this concurrent resolution is to develop plans for a State organization which will have more effective control over State functions and activities relating to the ocean.

This concurrent resolution requests the Department of Planning and Economic Development to study the creation of a single administrative department or agency in an attempt to address the problems of having ocean policies being developed and implemented by many departments and agencies as is presently done.

Your Committee has corrected an inadvertent reference to the Department of Land and Natural Resources in the last "Be it resolved" paragraph by changing the reference to the Department of Planning and Economic Development.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of S.C.R. No. 58, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 58, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Fukunaga, Hashimoto, Levin, Say and Isbell.

SCRep. 1584 Ocean and Marine Resources on S.C.R. No. 184

The purpose of this concurrent resolution is to authorize the Department of Land and Natural Resources, the Department of Transportation, or both, to develop through private developers and capital certain fast and submerged lands for enumerated purposes.

Your Committee finds that rather than authorize the development of marina and yacht berthing facilities at Heeia-Kea Boat Harbor, it is first necessary to plan and design such facilities. Your Committee feels that it would be unwise to give authorization to such a project prior to the development of very specific plans.

Therefore, your Committee has amended the title of this resolution to read: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF TRANSPORTATION TO PLAN, DESIGN AND NEGOTIATE WITH PRIVATE DEVELOPERS ON THE DEVELOPMENT OF MARINA AND YACHT BERTHING FACILITIES AT HEEIA-KEA BOAT HARBOR, OAHU".

The resolution, as amended, requests the Department of Land and Natural Resources and the Department of Transportation to make a report on their progress to the Legislature no later than 20 days prior to the convening of the Regular Session of 1988.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of S.C.R. No. 184, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 184, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Fukunaga, Hashimoto, Levin and Isbell.

SCRep. 1585 Human Services on S.C.R. No. 81

The purpose of this concurrent resolution is to request the Legislative Auditor to examine the 1987 Department of Social Services and Housing (DSSH) report on the adequacy of the welfare allowance, conduct a comprehensive analysis of the need standard and its fiscal implications, and recommend alternative ways of implementing changes.

Your Committee heard testimony in support of H.C.R. No. 184, an identical House concurrent resolution, indicating that present basic needs and shelter allowance welfare benefits, which have not been increased since 1978 and 1975, respectively, are well below the poverty level. These benefits are often not meeting the actual needs of recipients, especially in light of the rise in the cost of living since the last increases. Your Committee agreed that a comprehensive study of the adequacy of welfare benefits by an independent agency was needed to supplement the DSSH study and H.C.R. No. 184 was reported out of this Committee under Standing Committee Report No. 1305.

Your Committee on Human Services concurs with the intent and purpose of S.C.R. No. 81, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1586 Judiciary on H.R. No. 206

The purpose of this resolution is to request that the Governor establish a task force to formulate plans to develop within the Family Court System a comprehensive juvenile justice system, including the youth corrections function.

The Legislature has previously passed legislation intended to initiate the development of a juvenile justice master plan for Hawaii. Although the Juvenile Justice Interagency Board was established by Act 303-80, the juvenile justice plan, which essentially revised the Family Court and Hawaii Youth Correctional Facilities statutes, has had little impact on the youth corrections program at the Hawaii Youth Correctional Facility. The "Management Audit of Hawaii Youth Correctional Facility" prepared by the Legislative Auditor in December 1986, stated that a concerted effort by top level policy formulators and administrators should be made to develop a clear policy direction for youth corrections. Your Committee supports plans for a comprehensive juvenile justice system within the family courts, but has amended the resolution to direct the task to the already existing Juvenile Justice Interagency Board.

Your Committee concurs with the intent and purpose of H.R. No. 206, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 206, H.D. 1.

Signed by all members of the Committee except Representatives Cachola, Takamine and Jones.

SCRep. 1587 Legislative Management on H.R. No. 434

The purpose of this resolution is to request the Legislative Reference Bureau to conduct a study of the problem faced by Hawaii residents who are unable to obtain basic property insurance due to their homes being located in areas susceptible to natural disasters or where vandalism is widespread, to determine whether the scale of the problem justifies government intervention, and to compare the relative merits of the two insurance mechanisms, Fair Access to Insurance Requirements Plan and Joint Underwriting Plan, which can be established to meet these needs.

Your Committee received testimony in support of this resolution from the Insurance Commissioner.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 434 and recommends its adoption.

Signed by all members of the Committee except Representative Okamura.

SCRep. 1588 Legislative Management on S.C.R. No. 56

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to study the feasibility of designating the Bishop Museum as the State Museum for Natural and Cultural History with operating funds provided regularly through the State Executive Budget, and to consider State acquisition of those Bishop Museum real estate properties that are of cultural and historical significance to the people of Hawaii.

Your Committee received testimony from the Bishop Museum in support of this concurrent resolution, indicating that the Museum has recently had to curtail services to the public due to financial difficulties. Testimony observed that a Legislative Reference Bureau study in the 1970's recommended state support for the Museum.

Your Committee on Legislative Management concurs with the intent and purpose of S.C.R. No. 56 and recommends its adoption.

Signed by all members of the Committee except Representative Okamura.

SCRep. 1589 Labor and Public Employment on H.R. No. 358

The purpose of this resolution is to request the Legislative Auditor to review the compensation plans for the secretarial classes within the civil service systems of the executive and judicial branches of the State government, and to make recommendations to correct any pay inequities.

Your Committee received testimony indicating that serious inequities may exist within the civil service secretarial classes of the executive and judicial branches of government, and that such inequities may adversely affect the morale and efficiency of individuals within these secretarial classes.

After full consideration, your Committee has amended the resolution by requesting that the Conference of Personnel Directors conduct the review of the secretarial compensation plans instead of the Legislative Auditor, and report all findings and recommendations to the Legislature twenty days before the convening of the Regular Session of 1988.

Your Committee on Labor and Public Employment concurs with the intent and purpose of H.R. No. 358, as amended herein, and recommends its adoption in the form attached hereto, as H.R. No. 358, H.D. 1.

Signed by all members of the Committee except Representative Cachola.

SCRep. 1590 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 448

The purpose of this resolution is to determine how best to protect and enhance the native Hawaiian trails which exist throughout the State of Hawaii.

Your Committee received testimony in favor of this resolution from the Department of Land and Natural Resources, the Office of Hawaiian Affairs, the Sierra Club and the Native Hawaiian Legal Corporation.

The Native Hawaiian Legal Corporation presented testimony requesting amendments to emphasize the need for immediate action to implement existing legislation and studies to protect the Kings Highway on the West Coast of Hawaii from destruction by planned developments which are currently in the permitting process.

Your Committee finds that developments which are currently planned threatens to destroy this traditional trail and that immediate actions are required to protect it. Further, we received testimony to the effect that the Na Ala Hele (Walking Trails) Project which was mandated by the 1974 Legislature has not been implemented and we have added an amendment requesting the Department of Land and Natural Resources to develop a plan to implement the Na Ala Hele Project.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 448, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 448, H.D.1.

Signed by all members of the Committee except Representatives Fukunaga, Say, Tajiri and O'Kieffe.

SCRep. 1591 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 241

The purpose of this resolution is to request the Department of Planning and

Economic Development to conduct a study on the impact of the high price of residential land in Hawaii on Hawaii's economy, standard of living and ability to attract new business.

The Department of Planning and Economic Development testified that previous studies had been conducted which analyzed the impact of land use policies and regulation on the cost of housing. An additional study focusing on this aspect of the housing problem would not be appropriate.

Your Committee heard from the DPED that at study analyzing the impact of the high price of residential land on Hawaii's economy, standard of living, and ability to attract new business would be beneficial. The resolution has been amended to emphasize the impact of a shortage of housing on economic development.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 241, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 241, H.D. 1.

Signed by all members of the Committee.

SCRep. 1592 Finance on H.R. No. 222

The purpose of this resolution is to have the Department of Education consider the construction of a permanent sixteen classroom building at Kaimiloa Elementary School.

The Department of Education, the Parent Teacher Organization of Kaimiloa School, and the school's principal testified in favor of the need for construction of a permanent classroom structure to house the expanding enrollment at Kaimiloa Elementary School. The school has over forty-five percent of its students in portable classrooms, while other schools in the area have zero to less than twenty percent of their students in portables.

Problems that graphically describe conditions which are intolerable for a good learning environment include: vandalism with sixty-one break-ins and eleven maliciously set fires since 1972, hot classrooms, and noise caused by aircraft approaching the busy Honolulu International Airport and Hickam Air Force Base corridor over the school.

The Department has experienced chronic financial losses due to arson and vandalism of the portables because the portables are more difficult to safeguard than the permanent building.

The Department of Education concurred with the intent of this resolution and will request the funding for the sixteen permanent classrooms in the Fiscal Biennium 1989-1991 budget within the priority guidelines.

Your Committee finds there is a need for the sixteen classroom building and requests that the Department of Education reconsider its priority for this project.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 222, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1593 Finance on H.R. No. 50

The purpose of this resolution is to request the Department of Health to coordinate the implementation of the Federal Emergency Planning and Community Right-to-know Act of 1986 (Title III).

The State must be prepared to respond to hazardous chemical releases and various environmental emergency situations in the event environmental disasters occur. Currently the emergency response agencies and organizations of the State of Hawaii operate without a comprehensive hazardous chemical emergency response plan. Furthermore hazardous chemical exercise simulations indicate that Hawaii is ill prepared to address hazardous chemical emergency situations.

The passage of Title III of the 1986 Superfund Amendments and Reauthorization

Act mandates Hawaii and its sister states to develop state emergency response commissions; designate local emergency planning districts; and develop local emergency response plans. To meet this requirement the State Department of Health should be designated as the overall coordinating authority for hazardous chemical emergency preparedness in Hawaii.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 50 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1594 Finance on H.R. No. 95

The purpose of this resolution is to request the Department of Education to consider increasing incentives to the part-time employees of the Adult Supervisors Program.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 95, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1595 Finance on H.R. No. 94

The purpose of this resolution is to study the feasibility of hiring security attendants to patrol school campuses at night and the use of building illumination at night as a deterrent to vandalism.

Vandalism and burglaries at night in public school facilities is a serious problem which merits further study.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 94 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1596 Finance on H.R. No. 235

The purpose of this resolution is to request the Committee in cooperation with the Department of Education to hold interim hearings on class size reduction. These hearings should focus on alternative methods of reducing class size and the estimated costs of resources to accomplish this purpose.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 235, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Tungpalan.

SCRep. 1597 Finance on H.R. No. 89

The purpose of this resolution is to request that the Board of Agriculture prepare a study to identify means by which the number of quarantine positions at the airport can be increased, as well as to determine if the State of Hawaii can accept jurisdiction over military planes entering the State, for purposes of quarantine and inspection.

There is a lack of quarantine positions and adequate funding for these positions to provide needed inspection and quarantine of plants, insects, and animals which enter the State at all ports of entry.

It is in the public interest for the State to adequately fund and staff these positions to protect and ensure the vitality of Hawaii's agricultural, horticultural, natural resources, and well-being of the community.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 89, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1598 Finance on H.R. No. 84

The purpose of this resolution is to require the Department of Accounting and General Services (DAGS) to develop a plan to provide regular preventive maintenance for all public facilities on a year-to-year basis if possible.

Proper ongoing maintenance will help to: (1) insure the health and safety of persons using these facilities; (2) insure that the agencies housed in these facilities are able to function optimally; (3) insure that the buildings remain in good repair for their lifetimes; and (4) reduce the need for major repairs.

While DAGS is responsible for the maintenance of a total of 2,858 buildings, it does not have the responsibility for all public facilities nor does it have the resources necessary to accept this responsibility. DAGS would be able to submit a plan of action for facilities in its AGS-233 and AGS-807 budgetary programs.

The scope of the resolution encompasses only those buildings for which DAGS is currently responsible.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 84, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1599 Finance on H.R. No. 259

The purpose of this resolution is to request that the Department of Health implement the recommendation of the Legislative Auditor and the Office of Environmental Quality Control in order to improve the department's food and drug program.

Currently, the Department of Health has begun to work on several of the administrative recommendations made by the Legislative Auditor and the Office of Environmental Quality Control. Another proposal which is being considered is the reorganization of the entire Environmental Protection and Health Services Division, of which the food and drug program is a part. By reorganizing the division, the Department of Health believes they will be able to strengthen the management and improve the effectiveness of their environmental programs.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 259, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1600 Finance on H.R. No. 67

The purpose of this resolution is to request the Department of Social Services and Housing (DSSH) to study the Florida prison closed-circuit television system, which has been developed to help prepare inmates for eventual reintegration into society.

Since a majority of prison inmates will eventually be released back into society, personal reintegration efforts must be made to prepare inmates through educational programming in areas such as personal improvement, self motivation, overcoming drug dependency, and job preparation.

The use of closed-circuit television in Hawaii's prison system warrants serious consideration since it can expand and improve program services in an effective and cost efficient manner.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 67, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1601 Ocean and Marine Resources on S.C.R. No. 80

The purpose of this concurrent resolution is to authorize the Department of

Transportation to dispose by way of a lease, certain government submerged lands for the purpose of a tour boat operation.

Under Section 171-53(c), Hawaii Revised Statutes, the prior approval of the Governor and the prior authorization of the Legislature is required by concurrent resolution before the Department of Transportation may lease submerged and tidal lands.

Your Committee received testimony from the Department of Transportation and find that, subject to the approval of the Board of Land and Natural Resources, the Department of Transportation has already received the Governor's approval and proposes to dispose by way of lease, approximately 15,000 square feet of submerged and tidal lands situated at Mala Wharf, Mala, Maui, Hawaii.

The Department of Transportation indicated that Mala Wharf is presently in a deteriorated state and poses a danger to the public. Despite attempts to fence off the wharf to keep members of the public from using the wharf and thereby endangering themselves, fishermen and other persons continue to enter the wharf and expose themselves to the hazardous conditions there. The Department has indicated that any successful bidder/lessee at public auction would be required to make substantial improvements to the wharf to make the same safe for the designated use. The principal use of the improved wharf would be for tour boat operations; however, use by local fishermen and fishing boats could also be accommodated.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of S.C.R. No. 80 and recommends its adoption.

Signed by all members of the Committee except Representatives Fukunaga, Hashimoto, Levin and Isbell.

SCRep. 1602 Ocean and Marine Resources on S.C.R. No. 175

The purpose of this concurrent resolution is to request the support of Hawaii's congressional delegation for legislation and other programs to control the plastic and net pollution of our oceans.

Plastic pollution, including lost fishing nets, are long-lasting debris that entangle, strangle, and are indigestible to aquatic life that eat them. Plastic debris may also become entangled in propellers, creating a hazard to sea craft.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of S.C.R. No. 175, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Fukunaga, Hashimoto, Levin and Isbell.

SCRep. 1603 Ocean and Marine Resources on S.C.R. No. 100

The purpose of this concurrent resolution is to assert certain State's rights and responsibilities over the ocean and submerged lands within the 200-mile Exclusive Economic Zone (EEZ) and to demand full partnership with the federal government in the management of this zone.

Your Committee finds that in order for the people of Hawaii to receive maximum benefit from one of our State's most precious resources, the ocean, the State must gain effective, shared management of the EEZ with the federal government.

Your Committee further finds that Hawaii, like other coastal states, has certain direct and inherent rights and responsibilities in the protection, conservation, and development of the EEZ.

This concurrent resolution affirms legislative commitment to our ocean resources and asserts the need for full partnership in decision-making and management of the EEZ with the federal government.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of S.C.R. No. 100, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Fukunaga, Hashimoto, Levin and Isbell.

SCRep. 1604 Ocean and Marine Resources on H.R. No. 402

The purpose of this resolution is to establish a Governor-appointed Hawaii Ocean Center Planning Council that would:

- (1) Review the establishment of a Hawaii Ocean Center that would provide a high-quality, self-supporting education and research center;
- (2) Identify coastal sites to provide maximum educational and research use of Hawaii's ocean;
- (3) Prepare plans for facilities for a center; and
- (4) Review proposals for developing submerged observatories or other educational centers.

Your Committee heard testimony in support of this resolution from the Department of Planning and Economic Development, the Department of Transportation, and the Department of Education.

Your Committee finds that the establishment of a Planning Council is a necessary step towards developing a world-class center. Your Committee has amended the resolution to include representatives of the following State departments and organizations in addition to those previously mentioned: the Department of Accounting and General Services, the Department of Transportation, the Department of Health, and the Waikiki Aquarium, feeling that this would ensure that the council has the best possible representation of interests.

Your Committee specifically discussed the importance of including a representative of the Waikiki Aquarium on the Planning Council, as the Aquarium presently functions as the forerunner of a Hawaii Ocean Center.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.R. No. 402, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 402, H.D. 1.

Signed by all members of the Committee except Representatives Fukunaga, Hashimoto, Levin and Isbell.

SCRep. 1605 Planning, Energy and Environmental Protection and Consumer Protection and Commerce on H.R. No. 352

The purpose of this resolution is to request Hawaii's congressional delegation to oppose any proposal to impose a fee or quota on imported crude oil and petroleum products.

Your Committees find that a concern for trade imbalance and national security has led to proposals for restrictive import legislation and an amendment to Section 232 of the Trade Expansion Act. Those proposals for trade sanctions have taken the form of import fees or a quota system on various goods and services, including crude oil and petroleum products.

The Division of Consumer Advocacy, which has the statutory responsibility to represent, protect, and advance the interests of consumers of utility and regulated transport services, testified that the higher costs of energy products such as fuel oil, gasoline, diesel, and lubricating oils, would be passed on to the ultimate consumers of the essential services. They also testified that the tendency is for commercial users of essential utility and regulated transport services to pass on to their customers even the anticipated (vis-a-vis actually incurred) higher costs for essential services.

Your Committees further find that any direct or indirect import fee would have a disproportionately severe impact on regions of the country which depend most heavily on petroleum for their energy supply. Hawaii would suffer especially since our State is 90 percent dependent on petroleum, which is twice the national average. Consumer costs, across the board, would rise to a greater extent in

Hawaii than in the contiguous 48 states, because the mainland would have access to competitive domestic sources of crude which do not have to be transported over great distances with its attendant costs. Your Committees further find that elevated oil prices could have a damaging impact on the local economy, particularly on the tourist industry which depends upon large quantities of jet fuel. Additionally, the added costs will have an inflationary impact and reduce the competitiveness of local industries in comparison with other localities.

Your Committees on Planning, Energy and Environmental Protection and Consumer Protection and Commerce concur with the intent and purpose of H.R. No. 352 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1606 Planning, Energy and Environmental Protection on H.R. No.
455

The purpose of this resolution is to request the Legislative Reference Bureau to study and report on a proposed trash reduction program for Hawaii.

Your Committee finds that litter along roadways, parks and public beaches is unattractive, unsanitary and dangerous to feet and tires as well as unpleasant to look at because it is a detraction from the scenic beauty upon which our major industry depends.

Your Committee further finds that effective programs can be developed to control litter that remove the primary burden from any user group; create jobs for small entrepreneurs; serve as fundraisers for non-profit groups and train high school students in business. There are several possible methods to alleviate the litter problems such as: public education, extensive clean-up campaigns either through volunteer or paid programs, effective enforcement of existing anti-litter legislation, deposits on certain types of containers to encourage return and discourage use and an outright ban on certain types of containers.

Your Committee feels that a thorough study on the various alternatives for alleviating litter problems will help in the establishment of a statewide anti-litter program which can cut across all segments of our community so as not to unfairly burden one group in particular.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of H.R. No. 455 and recommends that it be referred to the Committee on Water, Land Use, Development and Hawaiian Affairs.

Signed by all members of the Committee.

SCRep. 1607 Planning, Energy and Environmental Protection on S.C.R. No.
138

The purpose of this concurrent resolution is to urge the State to support federal government acquisition of the Crater Hill coastal wildlands area adjacent to the Kilauea Point National Wildlife Refuge as an extension of the federal sanctuary and to preserve the habitat for present and future generations.

Your Committee finds that the Kilauea Point National Wildlife Refuge is one of the few nesting areas in the State which is easily accessible to the viewing public. Your Committee further finds that this area has the largest concentration of seabirds in the inhabited Hawaiian Islands and needs to be maintained in its natural state. While the national refuge provides adequate protection for the Kilauea Point property, the lands referred to in this concurrent resolution lie adjacent to the federal wildlife refuge and are in need of preservation. Due in part to the destruction of nesting trees in the wake of Hurricane Iwa, many of the seabirds have relocated to these adjacent lands.

Your Committee recognizes the importance of the Crater Hill area at Kilauea as a habitat for native seabirds and other wildlife and supports public ownership to preserve the scenic and natural resource values. Your Committee feels that because it abuts the Kilauea Point National Wildlife Refuge, the highest and best use of the site would be as a wildlife refuge and that federal ownership would be most appropriate.

Your Committee received testimony in support of this concurrent resolution from the Department of Land and Natural Resources, the Kauai County Council, the Hawaii Audubon Society and the Kilauea Neighborhood Association. The Department of Land and Natural Resources testified that the landowner(s) of the property in question are in concurrence with the intent of this concurrent resolution. On the basis of this assurance, your Committee recommends passage of this measure.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of S.C.R. No. 138, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1608 Planning, Energy and Environmental Protection on S.C.R. No.
90

The purpose of this concurrent resolution is to request the Office of Environmental Quality Control to assist the appropriate agencies and institutions involved in the ongoing development, review and implementation of pesticide action plans developed pursuant to Act 127, Session Laws of Hawaii.

Your Committee finds that Act 127, Session Laws of Hawaii, 1985, is scheduled to be repealed on June 30, 1987. However, the pesticide action plans developed under the guidance of the Office of Environmental Quality Control have just begun to be implemented. Your Committee finds that continued participation of the Office of Environmental Quality Control in the coordination and development of these plans is in the best interest of Hawaii's environment.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of S.C.R. No. 90 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1609 Planning, Energy and Environmental Protection on S.C.R. No.
149

The purpose of this concurrent resolution is to request the Department of Health to investigate and report on the procedures and facilities which may be required in order to respond to possible contamination of marine food products by oil spills and other pollutants.

The areas to be investigated pursuant to this request include procedures for immediate collection of samples from coastal areas affected by pollution; the adequacy of State-funded laboratories for testing samples for contamination; and the necessary procedures for timely public notification of the possible dangers of oil spills and other pollutant releases. Your Committee finds that the State's preparedness in the area of emergency response and public health protection is of vital importance to the health and safety of its people.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of S.C.R. No. 149 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1610 Planning, Energy and Environmental Protection on S.C.R. No.
63

The purpose of this concurrent resolution is to urge the counties of Maui, Kauai, and Hawaii to adopt ordinances relating to clearance of litter from private property similar to Section 26-4.14 of the Revised Ordinances of Honolulu.

Your Committee finds that as well as being visibly unattractive, vacant lots which contain litter often present unnecessary health hazards to a surrounding neighborhood. Your Committee further finds that where owners or lessees fail to or refuse to maintain their property, the various counties should have a procedure whereby, after adequate notice and due process to the owner or lessee, the county may assume the responsibility to clear the lots. In these instances the owners or lessees would reimburse or pay the counties for clearing their lots.

Your Committee further finds that the Honolulu ordinance which requires owners or lessees of vacant lots to keep their property in a litter-free condition has been in effect since 1970 and has been an effective tool for having litter cleaned up on private property.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of S.C.R. No. 63, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1611 Planning, Energy and Environmental Protection on S.C.R. No.
160

The purpose of this concurrent resolution is to request a study to be conducted to determine the feasibility of and options for establishing a state-wide geographic information system.

Your Committee finds that State and County planning is currently hampered by a lack of comprehensive environmental information. This concurrent resolution requests a feasibility study of a statewide "Geographic Information System" which would collect and disseminate information from various scientific disciplines. In addition, this system can be supplemented with social, political and economic data which would allow decision-makers to take the concerns and needs of various regional, cultural, ethnic and economic groups into consideration.

Your Committee on Planning, Energy and Environmental Protection concurs with the intent and purpose of S.C.R. No. 160 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1612 Judiciary and Consumer Protection and Commerce on H.R. No.
447

The purpose of this resolution is to request the Insurance Commissioner to: (1) expedite the completion of its closed claim study containing an evaluation of the operation and effects of the 1986 Tort Reform Act, including recommendations for changes or repeal of its provisions or portions thereof and (2) study the feasibility of establishing a new patients' compensation fund and other alternatives for providing for the availability of medical malpractice insurance to health providers.

Currently, the Tort Reform Act requires the Insurance Commissioner to submit the closed claim studies to the Legislature twenty days prior to the 1988 and 1989 Regular Sessions. Your Committee adopted the recommendation of the Department of Commerce and Consumer Affairs which testified that in order to collect adequate data to properly evaluate the effects of the Act, the present deadlines should remain unchanged. Accordingly, the title of the resolution has been amended by deleting: "(1) Expedite the Completion of its Closed Claim Study Containing an Evaluation of the Operation and Effects of the 1986 Tort Reform Act, Including Recommendations for Changes or Repeal of its Provisions or Portions Thereof" to conform to the recommendation.

Your Committee heard testimony in favor of the feasibility study establishing a new patients compensation fund from the Healthcare Association of Hawaii. In regards to the study, your Committee changed the responsible body from the Department of Commerce and Consumer Affairs to the Legislative Reference Bureau.

Your Committee also adopted the recommendations of the Hawaii Academy of Plaintiffs Attorneys and made amendments to this resolution in order to maintain as much objectivity as possible, and to clarify the intent of certain passages. Some whereas clauses were modified to reflect such objectivity and certain conclusions and statements which were in controversy have been eliminated.

In regards to the feasibility study, for information and insurance data, your Committee added eight considerations that affect or may affect the rates and availability of medical malpractice insurance. These considerations include:

(d) Premiums including total direct and net premiums written and earned for

medical malpractice insurance in Hawaii;

(e) Reinsurance including total ceded reinsurance for medical malpractice insurance in Hawaii and the identity of each reinsurer and amount of reinsurance written by each;

(f) Paid losses and loss adjustment expenses including total amount of "paid losses", excluding loss adjustment expenses, and the number of claims paid; total amount paid as defense attorney's fees for handling claims;

(g) Reserves for possible future loss payments and potential loss adjustment expenses, including possible future payment of (1) reported incident/known claims cases, (2) reported incident/unknown claims cases, (3) unreported incident/unknown claim cases, all excluding loss adjustment expense reserves;

(h) Investment income including total amount of income derived from investment of funds held in reserve;

(i) The method employed by each insurer to determine its various premium rate classifications assigned to different medical premium rate classifications assigned to different medical specialties, area of practice, and types of risks taken; the actual premiums charged, by year, for each rate classifications; the amount of paid losses and other loss adjustment expenses which were paid in each year; and

(j) Specifically with regard to MIEC, in addition to the items listed above, the following: information for the other states in which MIEC premiums charged, the amount of losses paid, and the amounts reserved each year for various types of claim cases.

(k) That the information to be gathered for items (d) through (j) should include the period from January 1, 1975 through December 31, 1986.

Your Committees on Judiciary and Consumer Protection and Commerce concur with the intent and purpose of H.R. No. 447, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 447, H.D. 1.

Signed by all members of the Committees except Representatives Cachola, Hirono, Takamine and Jones.

SCRep. 1613 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 294

The purpose of the resolution is stated in the title.

The resolution and testimony received supported the proposition that the establishment of English as the official language of the United States would have a negative impact on the survival of indigenous languages. However, your Committee is uncertain that such a declaration would have such an effect. Nevertheless, the spirit of the resolution can be preserved without taking sides in this continuing national debate. Therefore, your Committee has amended the resolution by deleting two paragraphs, while still retaining the major thrust of support for native languages as a prime factor in preserving cultures.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 294, as amended, and recommends its adoption in the form attached hereto as H.R. 294, H.D. 1.

Signed by all members of the Committee except Representative Fukunaga.

SCRep. 1614 Water, Land Use, Development and Hawaiian Affairs on
S.C.R. No. 54

The purpose of this resolution is described in the title.

Your Committee received testimony describing the beauty of hills of bougainvillea and the people who are symbolized by this tough, resilient, beautiful, aggressive thornbush. Even after the double blow of Hurricane Iwa and the closing of the sugar plantation, the people of Hanapepe refuse to give up just as

the bouganvillea prevails against draught, salt spray, wind and sun.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of S.C.R. No. 54 and recommends its adoption.

Signed by all members of the Committee except Representative Fukunaga.

SCRep. 1615 Water, Land Use, Development and Hawaiian Affairs on
S.C.R. No. 106

The purpose of this resolution is to request the Department of Land and Natural Resources to review the history and present status of 37 trail rights-of-way removed from the Oahu trail map between 1968 and 1979 and to determine the disposition, use, accessibility and condition of such government roads, paper-roads, trails, and rights-of-way which existed in 1968.

Your Committee heard testimony that public access to many state owned forest areas is either extremely limited or non-existent. Forest access problems have increased sharply in the past few years, because land owners are concerned with liability and vandalism.

The Hawaiian Trail and Mountain Club testified on an earlier bill that the number of trails they can use has declined sharply, particularly on Oahu. They also stated that hiking is becoming an increasingly popular activity with over 2000 people a year participating in their hikes.

The Leeward Bow Hunters Association earlier emphasized the importance of hunter access to control pig population. Where access is lacking, animal populations build to the point where severe damage is done to the forest vegetation and watershed.

Your Committee agrees more trail access is needed. However, there is concern that DLNR first press for existing rights-of-way which may have been abandoned in the past. DLNR should be sure it does not buy a right-of-way where the State may already have one. Moreover, the Attorney General should be consulted, since it is believed that there is no such thing in Hawaii as a land-locked parcel without access.

According to testimony, 37 trails were removed from the maps of Oahu between 1968-1979. Some of these may have truly been private trails which the land owner had a right to close off, but others may have involved a failure of adequate vigilance on the part of the State to protect public rights of access.

Your Committee feels that a thorough evaluation of those 37 trails which were dropped from the maps will give an indication of whether there has been due vigilance over the years and will indicate whether further action needs to be taken with respect to both the 37 trails in question and others which have "vanished" over the years on all islands.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of S.C.R. No. 106 and recommends its adoption.

Signed by all members of the Committee except Representative Fukunaga.

SCRep. 1616 Water, Land Use, Development and Hawaiian Affairs on
S.C.R. No. 99

The purpose of this resolution is explained in the title.

Your Committee finds that the Peace Corps concept extended with Aloha by the people of Hawaii, from the people of Hawaii has great potential to benefit both our people and those of the Pacific Basin.

Hawaii professes to be a hub of the Pacific, yet our people have very little knowledge of the lives and problems of our Pacific neighbors. An opportunity to work with Pacific Island people to help solve mutual problems can broaden our horizons and make our people more aware of opportunities to develop cultural and economic ties throughout the Pacific.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of S.C.R. No. 99, S.D. 1 and recommends its adoption.

Signed by all members of the Committee except Representative Fukunaga.

SCRep. 1617 Water, Land Use, Development and Hawaiian Affairs on
S.C.R. No. 181

The purpose of this concurrent resolution is expressed in the title.

Your Committee believes a strong protectionist sentiment is developing in Congress. Hawaii is highly dependent on imported petroleum. Increased cost of petroleum has a direct impact on every business and consumer in the State.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of S.C.R. No. 181 and recommends its adoption.

Signed by all members of the Committee except Representative Fukunaga.

SCRep. 1618 Water, Land Use, Development and Hawaiian Affairs on
S.C.R. No. 14

The purpose of this concurrent resolution is to express the intent of the Legislature that the use of any part of Kapiolani Park including the Honolulu Zoo, for private profit-making commercial enterprises, should be prevented.

Your Committee finds that Kapiolani Park was originally dedicated in 1877 and was deeded to the State with the provision that it be used as a public park. The area had many uses including horse racing but has evolved as a public park used and enjoyed by residents and visitors alike. We find that the term "commercial enterprise" as used in the deeds of trust have been interpreted in many ways over the years.

This resolution defines "commercial enterprise" as any private, profit making activity which is inconsistent with the use and enjoyment of the park for recreational purposes.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of S.C.R. No. 14 and recommends its adoption.

Signed by all members of the Committee except Representative Fukunaga.

SCRep. 1619 Water, Land Use, Development and Hawaiian Affairs on
S.C.R. No. 101

The purpose of this concurrent resolution is to study the legal and economic requirements necessary to establish an exchange dealing in stocks, futures, options and commodities; determine what organizations might utilize an exchange; and recommend the factors which should be emphasized to make the exchange most attractive.

Your Committee received testimony favoring this concurrent resolution and pointing out Hawaii's advantages of excellent communications facilities and favorable time zones for both Asia and the United States mainland.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of S.C.R. No. 101, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Fukunaga.

SCRep. 1620 Water, Land Use, Development and Hawaiian Affairs on
S.C.R. No. 166

The purpose of this concurrent resolution is fully defined by the title.

Your Committee did not receive testimony on this specific resolution but has received testimony concerning this problem relating to other resolutions and bills. Your Committee finds that difficulty in finding venture capital is a serious obstacle to the formation of business in Hawaii. Mainland venture capitalists are reluctant to commit capital to Hawaii projects primarily because they are not familiar with Hawaiian opportunities and there is strong competition from projects closer to home. In spite of capital loan programs set up by the State to address specific problems, there remains a shortage of capital. It is apparent there is a need to approach the problem from a more holistic point of view.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of S.B. No. 166, S.D. 1 and recommends its adoption.

Signed by all members of the Committee except Representatives Fukunaga and Pfeil.

SCRep. 1621 Water, Land Use, Development and Hawaiian Affairs on
S.C.R. No. 151

The purpose of this resolution is to request the National Park Service to exempt Hawaiian residents from entrance fees to National Parks in Hawaii.

Your Committee finds that the life of the land is a vital part of the human essence for the Hawaiian people and for others in Hawaii. Being part of the land is far more than a religious experience for these people. It is part of their very being. Being required to pay for the right to visit the land is like being required to pay to visit one's own family. It separates people with a symbolic wall as surely as the iron curtain separates families in Europe.

Your Committee finds that the fees charged by the National Park Service are yet another small but significant step in separating the people of Hawaii from the aina, from the soul of the land.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the purpose and intent of S.C.R. 151, and recommends its adoption.

Signed by all members of the Committee except Representative Fukunaga.

SCRep. 1622 Water, Land Use, Development and Hawaiian Affairs on
S.C.R. No. 46

Your Committee finds that the Hawaiian population is subject to a much higher level of chronic health problems than the general population and that a survey of native Hawaiians indicates that health needs are a concern second only to housing. The Department of Health indicated that the work necessary to reduce morbidity and mortality among Hawaiians is a complex job involving many disciplines and that its ability to attack the problem is severely limited by available resources.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of S.C.R. 46, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Fukunaga and Pfeil.

SCRep. 1623 Water, Land Use, Development and Hawaiian Affairs and
Finance on S.C.R. No. 173

The purpose of this concurrent resolution is to assure that Hawaii is in position to qualify for federal funds to help establish a veterans' cemetery in our State.

Your Committees are in full support of the intent of this concurrent resolution. However, your Committees have little information to support the specific sites designated in the resolution or the staff position described therein.

Your Committees are informed that, since there are no funds appropriated in this concurrent resolution, its directives will not be binding on the Department.

Moreover, your Committee on Water, Land Use, Development and Hawaiian Affairs earlier passed S.C.R. No. 13 which provided that the Office of the Legislative Auditor would conduct an assessment of suitable land sites on Oahu appropriate for the development of a State Veterans Cemetery. Nevertheless, since time is of the essence, your Committees are concerned that should private lands (rather than State owned lands) be selected by the Auditor, condemnation proceedings might have to be rapidly instituted so as not to encroach on the time needed to develop the cemetery. Consequently, specific land sites are included in this resolution in an exemplary manner to reduce delays if possible. Your Committees want to assure that we have fulfilled all requirements possible to qualify for federal funding once a suitable site is selected for a veterans' cemetery. Therefore, your Committee, unable to amend the attached resolution because of time constraints, urges its passage.

Your Committees on Water, Land Use, Development and Hawaiian Affairs and Finance concur with the intent and purpose of S.C.R. No. 173, S.D. 1, and recommend its adoption.

Signed by all members of the Committees except Representatives Fukunaga, Horita, D. Ige, Ihara, Isbell and Pfeil.

SCRep. 1624 Water, Land Use, Development and Hawaiian Affairs and
Legislative Management on S.C.R. No. 102

The purpose of this resolution is to ask the Legislative Reference Bureau to conduct a study of small business in Hawaii in an effort to create the most favorable small business climate possible.

Your Committee finds there are many factors which may potentially inhibit small business establishment and growth in Hawaii. Testimony pointed out high workers compensation rates, prohibitive bonding requirements and government red tape as examples.

Your Committees urge that the problems of small farms should not be ignored in this study. Your Committees also ask that the study include an historical perspective because it is important for us to learn from our experience.

Your Committees on Water, Land Use, Development and Hawaiian Affairs and Legislative Management concur with the intent and purpose of S.C.R. 102, SD 1, and recommend that it be adopted.

Signed by all members of the Committees except Representatives Fukunaga, Okamura and Pfeil.

SCRep. 1625 Housing and Community Development on S.C.R. No. 88

The purpose of this concurrent resolution is to request that the Legislative Reference Bureau (LRB) review Section 46-4(c), Hawaii Revised Statutes, popularly known as the "Ohana Zoning" law, to determine if its purpose and intent have been met in each county and to determine whether any changes should be made to the law to better effectuate the purpose and intent.

The concurrent resolution further requests that the review include specific problems encountered by each county within the past five years in implementing the law and to determine if the counties should be given more flexibility to deal with individual problems encountered with "Ohana Zoning". However, the LRB is directed to not consider repeal of the law or making "Ohana Zoning" discretionary for the counties.

The "Ohana Zoning" Law specifies that, effective January 1, 1982, a county cannot prohibit the construction of two single-family dwellings on any lot where a residential dwelling is permitted if certain requirements are met. The declared purpose is "...to assist families to purchase affordable individual living quarters and at the same time, to encourage the preservation of the extended family...".

Your Committee finds that enough time has passed since enactment of the law approximately five years ago to make it appropriate to undertake a review of the law to determine if its intent has been met in the respective counties and if changes should be made to better effectuate the purpose of the law.

Your Committee on Housing and Community Development concurs with the intent and purpose of S.C.R. No. 88, and recommends its adoption.

Signed by all members of the Committee except Representative Peters.

SCRep. 1626 Judiciary and Consumer Protection and Commerce on S.C.R.
No. 165

The purpose of this concurrent resolution is to encourage and support the establishment of the Center for International Commercial Dispute Resolution.

With rapid expansion of international business, trade, and commerce among nations in Asia and the Pacific Basin, it is inevitable that disputes will arise from time to time. Many kinds of disputes arising from international business, trade, and commercial activities could be settled by means of international arbitration, mediation, conciliation, and other forms of dispute resolution.

There is presently being established in the State, a private, nonprofit organization called the Center for International Commercial Dispute Resolution, through the joint efforts of various government and private concerns. The purpose of the Center is to provide a neutral and respected international forum for the resolution of international commercial and other disputes as well as to develop and conduct educational and training programs in these areas.

Your Committees find that it would be in the public interest to provide necessary legal authority to the Center to conduct international commercial arbitration, mediation, and conciliation in the State. Therefore, this concurrent resolution also requests various representatives from the legal community to determine what additional legal authority may be necessary to enable the Center to effectuate the purposes of this concurrent resolution.

Your Committees on Judiciary and Consumer Protection and Commerce concur with the intent and purpose of S.C.R. No. 165 and recommend its adoption.

Signed by all members of the Committees except Representatives Cachola, Peters, Yoshimura and Jones.

SCRep. 1627 Judiciary on S.C.R. No. 2

The purpose of this resolution is to appoint an ad hoc committee to review the current use of private-appointed counsel in criminal cases involving conflicts and the possible creation of a second public defender program.

A second public defender program conceptually provides legal representation to co-defendants and other situation where the primary public defender program declares conflicts with existing or past criminal defendants.

Your Committee feels that the study will address the questions raised by both the proponents and opponents of the second public defender program for the State. The study will also determine the relative costs of such a program versus the private counsel appointment system.

Your Committee on Judiciary concurs with the intent and purpose of S.C.R. No. 2 and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola, Peters and Jones.

SCRep. 1628 Housing and Community Development on S.C.R. No. 135

The purpose of this concurrent resolution is to request the Legislative Auditor to do a study on the feasibility of establishing a Kaneohe Bay Authority.

Your Committee finds that certain areas of the Kaneohe Bay area are substantially underdeveloped and are potentially in need of renewal, renovation, or improvement to alleviate such conditions as dilapidation, deterioration, and age which depreciate the value of the area and reduce the benefits which should be derived from its use.

The establishment of the Kaneohe Bay Authority, similar to the Hawaii Community Development Authority, would serve the community and the public interest by marshalling resources under a comprehensive plan designed to meet the particular needs of the area and the community.

Your Committee has amended this concurrent resolution to expand the scope of the study to include the pressing ocean related issues facing Kaneohe Bay. Problems have developed involving water safety, unrestricted commercial activities in recreational areas and a lack of adequate public facilities due to the increase in the mixed use of the water resources in Kaneohe Bay. An extensive, long range master plan for Kaneohe Bay, which the Authority would administer, would be used as a model for proper planning and development of other State ocean-based recreational areas.

Your Committee on Housing and Community Development concurs with the intent and purpose of S.C.R. No. 135, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 135, H.D. 1.

Signed by all members of the Committee except Representatives Metcalf, Peters, Shon and Cavasso.

SCRep. 1629 Water, Land Use, Development and Hawaiian Affairs on
S.C.R. No. 45

The purpose of S.C.R. 45, S.D. 1, is to express the support of the Hawaii State Legislature for United States Senate Bill 360. United States Senate Bill 360 recognizes the federal government as having the legal responsibility to enforce and enhance the State of Hawaii's public trust for improving the condition of Native Hawaiians.

Your Committee finds that Native Hawaiian youth score among the lowest groups on every measure of educational progress. Numerous studies have documented that Native Hawaiian people continue to be the highest risk group on virtually every indicator of health, education and social status. Therefore, federal legislation such as United States Senate Bill 360 to provide supplemental assistance to Native Hawaiians is urgently needed.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of S.C.R. 45, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Bunda, Fukunaga, Hashimoto, Hiraki, Tajiri and Pfeil.

SCRep. 1630 Finance on S.C.R. No. 9

The purpose of this concurrent resolution is to request that the Legislature appropriate the funds necessary to assist those counties which do not use the emergency phone number "911" in the implementation of changing their current emergency numbers to "911".

Your Committee finds that the County of Hawaii is the only county without "911" emergency telephone service. The telephone network configuration servicing the County of Hawaii over the years precluded the economic installation of "911" emergency telephone service in Hawaii County. Hawaiian Telephone's recent conversion to electronic switching equipment on the island of Hawaii now allows for the economic installation of "911" service.

The recently developed "Enhanced 911" (E911) service identifies emergency calls and the exact location utilizing a computerized tracing system.

Your Committee recommends that appropriate measures be taken by the State to assist the County of Hawaii in implementing an "E911" system at the earliest possible date.

Your Committee on Finance concurs with the intent and purpose of S.C.R. No. 9 and recommends its adoption.

Signed by all members of the Committee except Representative M. Ige.

SCRep. 1631 Finance on H.R. No. 295

The purpose of this resolution is to request that the Department of Education establish Hawaiian medium classes in elementary schools and pilot four Hawaiian language immersion/maintenance programs at Puuwai on Niihau, Waimea on Kauai, Hilo on the Big Island, and Honolulu.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 295, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1632 Finance on H.R. No. 279

The purpose of this resolution is to request the Department of Accounting and General Services to develop a program for the construction of security screens for the public schools by inmates of the State's correctional facilities.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 279 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1633 Finance on H.R. No. 34

The purpose of this resolution is to call upon the United States Congress to reinstate the three-year basis recovery rule for employee contributions to retirement plans, which was repealed by the Tax Reform Act of 1986.

Prior to the passage of Tax Reform Act of 1986, all employee contributions received by a retired employee during the first three years of retirement were considered a return of the retired employee's after-tax contributions, and were therefore exempt from taxation. This was a fair practice since the earnings contributed had already been taxed at the time they were actually accrued.

Under the Tax Reform Act of 1986, however, the special three-year basis recovery rule was repealed, and replaced by a new system which determines the nontaxable portion of retirement distributions by taking a ratio of the employee's contributions over the accrued benefits at the time of retirement. This ratio is then applied to the actual retirement distribution to determine the portion representing the recovery of the retiree's contributions, and the portion which is taxable.

This system, in effect, substantially increases the period over which retirees are able to recover their own contributions, upon which they have already been taxed. Requiring retirees to proportionately recover their contributions over their expected lifetimes is unfair.

In addition, the retroactive clause of the new tax law adds to the unfairness of the repeal of the recovery rule by not providing retirees, who had formulated retirement plans over a period of years, time to adjust prior to the change.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 34 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1634 Finance on H.R. No. 365

The purpose of this resolution is to request that the Department of Land and Natural Resources, in cooperation with the Department of Taxation and the counties, examine Hawaii's taxes relating to reforestation, in order to determine to what extent taxation may inhibit reforestation.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 365 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1635

Legislative Management on H.R. No. 208

The purpose of this resolution is to request the Legislative Reference Bureau to conduct a feasibility study on State authorization for the minting of pure gold and silver State commemorative medallions.

Your Committee received testimony in support of this resolution from Deak International, the nation's oldest and largest retailer of foreign currencies and precious metals, and three local minting companies -- Goldfinger Hawaii Inc., Royal Hawaiian Mint, and The Hawaii Pacific Mint Ltd.

Your Committee finds that despite the State's present general revenue fund surplus, this is a one-time windfall which will be eventually depleted. Faced with the real possibility of the State will once again experience a conservative revenue outlook, your Committee feels there is a timely need to undertake new and creative approaches in generating new income for the State.

Based on the testimony, the following amendments were made by your Committee:

(1) Inclusion of The Hawaii Pacific Mint Ltd. and Royal Hawaiian Mint as two additional parties LRB should utilize as sources of information and deletion of "out-of-state mints";

(2) Requesting LRB to convene a general discussion meeting of all parties mentioned for the purpose of gathering information, working out concerns, and setting direction for the interim study;

(3) Inclusion of bonding requirements for participating mints within the State of Hawaii to discourage fly-by-night operators as part of the overall minting procedure;

(4) Inclusion of the creation of a two-way market with respect to recommendations for general excise tax exemption provisions;

(5) Inclusion of whether the striking and primary distribution of medallions can and should be done exclusively within the State of Hawaii as part of the recommendations for development of local and global marketing plans; and

(6) Modification of public contest recommendations to include whether such a contest would delay timely implementation, whether such delay would offset the public relations value, and further variations or alternatives on this theme by LRB.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 208, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 208, H.D. 1.

Signed by all members of the Committee.