

SCRep. 1290 Labor and Public Employment and Legislative Management on H.C.R. No. 409

The purpose of this concurrent resolution is to request the Legislative Reference Bureau (LRB) to develop a plan which ensures the achievement of full-funding status of the Employees' Retirement System (ERS), and to include an estimate of the additional amounts the government employers will be required to contribute to the ERS fund to achieve full funding.

As noted in the substance of the concurrent resolution, the ERS unfunded liability has been steadily declining from 80.7% in 1987 to 73.6% in 1991. The unfunded liability is the actuarially determined present value of the total pension benefits the ERS is obligated to pay, less the present value of assets available to the ERS to meet those obligations.

The ERS submitted brief comments pledging to cooperate with the LRB in its efforts. The Hawaii Government Employees Association, AFSCME Local 152, the AFL-CIO, and the Hawaii State Teachers Association submitted comments in support of this measure.

As affirmed by the records of votes of the members of your Committees on Labor and Public Employment and Legislative Management that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 409 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Alcon, Baker, Ihara, Say and Souki.

SCRep. 1291 Labor and Public Employment and Legislative Management on H.R. No. 370

The purpose of this resolution is to request the Legislative Reference Bureau (LRB) to develop a plan which ensures the achievement of full-funding status of the Employees' Retirement System (ERS), and to include an estimate of the additional amounts the government employers will be required to contribute to the ERS fund to achieve full funding.

As noted in the substance of the resolution, the ERS unfunded liability has been steadily declining from 80.7% in 1987 to 73.6% in 1991. The unfunded liability is the actuarially determined present value of the total pension benefits the ERS is obligated to pay, less the present value of assets available to the ERS to meet those obligations.

The ERS submitted brief comments pledging to cooperate with the LRB in its efforts. The Hawaii Government Employees Association, AFSCME Local 152, the AFL-CIO, and the Hawaii State Teachers Association submitted comments in support of this measure.

As affirmed by the records of votes of the members of your Committees on Labor and Public Employment and Legislative Management that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 370 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Alcon, Baker, Ihara, Say and Souki.

SCRep. 1292 Labor and Public Employment and Human Services on H.R. No. 245

The purposes of this resolution are to have the Legislative Auditor:

- (1) Study the current rules and procedures of the Department of Human Services (Department) regarding the allocation of vending facilities in public buildings;
- (2) Analyze whether the Department should modify its administrative policies and guidelines to include disabled persons other than the blind and visually-impaired in the preference for allocation of vending facilities; and
- (3) Report its findings and recommendations to the Legislature at least twenty days prior to the convening of the Regular Session of 1994.

The Commission on Persons with Disabilities testified in support of this resolution.

The State Committee of Blind Vendors, the Hawaii Blind Vendors Association, and the Hawaii Association of the Blind testified in opposition to this resolution in its present form, suggesting that this resolution should study and make recommendations on how the State can aid all disabled persons.

The Department of Human Services indicated that they will cooperate with the Legislative Auditor to meet the Legislature's request. Makaala, Inc. commented on this resolution.

Your Committees believe that the contract administration and implementation provisions of Section 102-14, Hawaii Revised Statutes (HRS), need to be studied and reviewed so that the State can provide for all disabled persons.

Accordingly, your Committees have amended this resolution by requiring the Legislative Auditor to:

- (1) Study contract administration and implementation under Section 102-14, HRS; and
- (2) Study the current rules and procedures of the Department regarding criteria for site locations of vending facilities in public buildings.

Your Committees have also made technical, nonsubstantive amendments for purposes of style and clarity.

It is the intent of your Committees to have the Legislative Auditor study the situation for the Legislature.

It is not the intent of your Committees to modify the rules and regulations of the Department. Nor is it the intent of your Committees to replace one disabled group with another in vending facilities. Your Committees reiterate their concern that the State should look at expanding opportunities for all disabled persons.

As affirmed by the records of votes of the members of your Committees on Labor and Public Employment and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 245, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 245, H.D. 1.

Signed by all members of the Committees except Representatives Alcon, Ihara, Peters and O'Kieffe.

SCRep. 1293 Labor and Public Employment and Human Services on H.C.R. No. 250

The purposes of this concurrent resolution are to have the Legislative Auditor:

- (1) Study the current rules and procedures of the Department of Human Services (Department) regarding the allocation of vending facilities in public buildings;
- (2) Analyze whether the Department should modify its administrative policies and guidelines to include disabled persons other than the blind and visually-impaired in the preference for allocation of vending facilities; and
- (3) Report its findings and recommendations to the Legislature at least twenty days prior to the convening of the Regular Session of 1994.

The Commission on Persons with Disabilities testified in support of this concurrent resolution.

The State Committee of Blind Vendors, the Hawaii Blind Vendors Association, and the Hawaii Association of the Blind testified in opposition to this concurrent resolution in its present form, suggesting that this concurrent resolution should study and make recommendations on how the State can aid all disabled persons.

The Department of Human Services indicated that they will cooperate with the Legislative Auditor to meet the Legislature's request. Makaala, Inc. commented on this concurrent resolution.

Your Committees believe that the contract administration and implementation provisions of Section 102-14, Hawaii Revised Statutes (HRS), need to be studied and reviewed so that the State can provide for all disabled persons.

Accordingly, your Committees have amended this concurrent resolution by requiring the Legislative Auditor to:

- (1) Study contract administration and implementation under Section 102-14, HRS; and
- (2) Study the current rules and procedures of the Department regarding criteria for site locations of vending facilities in public buildings.

Your Committees have also made technical, nonsubstantive amendments for purposes of style and clarity.

It is the intent of your Committees to have the Legislative Auditor study the situation for the Legislature.

It is not the intent of your Committees to modify the rules and regulations of the Department. Nor is it the intent of your Committees to replace one disabled group with another in vending facilities. Your Committees reiterate their concern that the State should look at expanding opportunities for all disabled persons.

As affirmed by the records of votes of the members of your Committees on Labor and Public Employment and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 250, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 250, H.D. 1.

Signed by all members of the Committees except Representatives Alcon, Ihara, Peters and O'Kieffe.

SCRep. 1294 Labor and Public Employment and Human Services on H.R. No. 423

The purposes of this resolution are to:

- (1) Urge all State departments to review their service delivery programs to ensure the inclusion of all qualified limited English and non-English speaking clients in their service programs; and
- (2) Request each department or agency which offers services generally available to the public to submit a report on its progress in complying with both the spirit and intent of this resolution.

The Hawaii Civil Rights Commission (Commission) and the Interagency Council for Immigrant Services testified in support of this resolution.

Your Committees agree with the Commission's belief that services provided by State departments and agencies are impeded by a person's inability to speak English and that the State must direct its resources to address this problem. Your Committees believe that this resolution encourages State departments and agencies to evaluate and resolve any deficiencies on their own.

Your Committees have amended the title of this resolution to better reflect the purpose of this resolution.

As affirmed by the records of votes of the members of your Committees on Labor and Public Employment and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 423, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 423, H.D. 1.

Signed by all members of the Committees except Representatives Alcon, Ihara, Peters and O'Kieffe.

SCRep. 1295 Labor and Public Employment and Human Services on H.C.R. No. 472

The purposes of this concurrent resolution are to:

- (1) Urge all State departments to review their service delivery programs to ensure the inclusion of all qualified limited English and non-English speaking clients in their service programs; and
- (2) Request each department or agency which offers services generally available to the public to submit a report on its progress in complying with both the spirit and intent of this concurrent resolution.

The Hawaii Civil Rights Commission (Commission) and the Interagency Council for Immigrant Services testified in support of this concurrent resolution.

Your Committees agree with the Commission's belief that services provided by State departments and agencies are impeded by a person's inability to speak English and that the State must direct its resources to address this problem. Your Committees believe that this concurrent resolution encourages State departments and agencies to evaluate and resolve any deficiencies on their own.

Your Committees have amended the title of this concurrent resolution to better reflect the purpose of this concurrent resolution.

As affirmed by the records of votes of the members of your Committees on Labor and Public Employment and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 472, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 472, H.D. 1.

Signed by all members of the Committees except Representatives Alcon, Ihara, Peters and O'Kieffe.

SCRep. 1296 Labor and Public Employment and Legislative Management on H.C.R. No. 315

The purpose of this concurrent resolution is to request the Legislative Auditor to retain the services of a consultant to determine:

- (1) If pay inequity exists among specific public employee job classes that are dominated by one sex;
- (2) The factors or conditions which contribute to inequities, if inequities exist; and
- (3) Changes in the law or in practices which could optimally achieve fairness in job evaluation.

The measure also delineates specific definitions to terms utilized in the concurrent resolution; calls for the inclusion of all non-supervisory blue-collar positions and all institutional, health and correctional worker positions covered by collective bargaining provisions; requests the Legislative Auditor to develop a comprehensive request for proposals to be advertised nationally; and calls for an interim report or a final report before the convening of the 1994 session, but if necessary, a final report may be submitted to the Legislature before the convening of the 1995 session.

As affirmed by the records of votes of the members of your Committees on Labor and Public Employment and Legislative Management that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 315 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Alcon, Baker, Ihara, Say and Souki.

SCRep. 1297 Labor and Public Employment on H.C.R. No. 367

The purpose of this concurrent resolution is to request the Department of Labor and Industrial Relations (Department) to report on the costs and benefits of providing occupational safety and health training to businesses in Hawaii.

The Chamber of Commerce of Hawaii, The Hawaii Business League, the Hawaii Nurses' Association, the Building Industry Association of Hawaii, the Legislative Information Service of Hawaii, and King & Neel Consulting, Inc. testified in support of this concurrent resolution.

Your Committee finds that both federal and state occupational safety and health laws and regulations are so voluminous and complex, that a high level of compliance cannot be achieved without educational assistance to businesses. Your Committee also finds that improving compliance with occupational safety and health laws will result in a safer workplace, and could reduce workers' compensation costs.

Further, your Committee finds there are numerous affected parties that can provide valuable input to the Department for the purpose of this report. Your Committees encourage the Department to accept the assistance of other interested parties in preparing this report.

As affirmed by the record of votes of the members of your Committee on Labor and Public Employment that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 367 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Alcon.

SCRep. 1298 Judiciary and Legislative Management on H.R. No. 434

The purpose of this resolution is to request the Legislative Reference Bureau to conduct a study on a feasible way to computerize and automate the issuance and processing of traffic citations and driver's abstracts.

In 1992, the Traffic Violations Bureau (TVB) had a two-and-a-half month backlog in processing payments for traffic citations resulting in \$700,000 to \$1,000,000 in fines not being deposited by the State. Moreover, the TVB also has a backlog in providing driver's abstracts to insurance companies. Approximately \$140,000 has been paid by insurance companies for about 70,000 abstracts that still need to be issued.

Testimony was submitted by the Judiciary.

Upon consideration, your Committees have amended this measure by:

- (1) Deleting the clause regarding how continuous advancements in modern technology will allow government to computerize and automate functions;
- (2) Deleting the clause regarding the costs associated with the technological advancement of the the issuance and processing of traffic citations;
- (3) Deleting the clause regarding the increasing workload and outdated computer system of the TVB;
- (4) Adding the clause regarding how the problems may be symptomatic of a lack of appropriate automation or a need for management improvement;
- (5) Deleting the requirement that the Legislative Reference Bureau conduct a study to computerize and automate the issuance and processing of traffic citations and driver's abstracts;
- (6) Deleting the clause referring to what the study by the Legislative Reference Bureau would include and address;
- (7) Requiring the Legislative Auditor to conduct an audit of the management of the TVB;
- (8) Specifying that the audit would include but not be limited to:
 - (a) An examination of the organization and funds of the TVB;
 - (b) A determination of whether the funding has and continues to be appropriate; and
 - (c) A determination of whether the computerization would affect the authority over the funds at the Judiciary and county levels; and
- (9) Making technical, nonsubstantive revisions for purposes of style and clarity.

As affirmed by the records of votes of the members of your Committees on Judiciary and Legislative Management that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 434, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 434, H.D. 1.

Signed by all members of the Committees except Representatives Herkes, Hirono, Peters, Say, Souki, Takamine and O'Kieffe.

SCRep. 1299 Judiciary and Legislative Management on H.C.R. No. 489

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to conduct a study on a feasible way to computerize and automate the issuance and processing of traffic citations and driver's abstracts.

In 1992, the Traffic Violations Bureau (TVB) had a two-and-a-half month backlog in processing payments for traffic citations resulting in \$700,000 to \$1,000,000 in fines not being deposited by the State. Moreover, the TVB also has a backlog in providing driver's abstracts to insurance companies. Approximately \$140,000 has been paid by insurance companies for about 70,000 abstracts that still need to be issued.

Testimony was submitted by the Judiciary.

Upon consideration, your Committees have amended this measure by:

- (1) Deleting the clause regarding how continuous advancements in modern technology will allow government to computerize and automate functions;
- (2) Deleting the clause regarding the costs associated with the technological advancement of the the issuance and processing of traffic citations;
- (3) Deleting the clause regarding the increasing workload and outdated computer system of the TVB;
- (4) Adding the clause regarding how the problems may be symptomatic of a lack of appropriate automation or a need for management improvement;
- (5) Deleting the requirement that the Legislative Reference Bureau conduct a study to computerize and automate the issuance and processing of traffic citations and driver's abstracts;
- (6) Deleting the clause referring to what the study by the Legislative Reference Bureau would include and address;
- (7) Requiring the Legislative Auditor to conduct an audit of the management of the TVB;
- (8) Specifying that the audit would include but not be limited to:
 - (a) An examination of the organization and funds of the TVB;
 - (b) A determination of whether the funding has and continues to be appropriate; and
 - (c) A determination of whether the computerization would affect the authority over the funds at the Judiciary and county levels; and
- (9) Making technical, nonsubstantive revisions for purposes of style and clarity.

As affirmed by the records of votes of the members of your Committees on Judiciary and Legislative Management that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 489, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 489, H.D. 1.

Signed by all members of the Committees except Representatives Herkes, Hirono, Peters, Say, Souki, Takamine and O'Kieffe.

SCRep. 1300 Judiciary on H.R. No. 25

The purposes of this resolution are to request that the United States military:

- (1) Maintain its current level of military readiness and personnel in Hawaii by retaining adequate training facilities and areas; and
- (2) Develop new roles for military personnel stationed in Hawaii.

The military in Hawaii provides the United States with a strategic military advantage that meets regional security needs and missions in the Pacific region. Moreover, it also contributes to nation building and strengthens our Nation's ties to other countries in the Pacific region. The key to maintaining and enhancing the effectiveness of our military readiness in Hawaii is to assure the availability and continued operation of training areas that support military mission training.

In addition, the military substantially contributes to the economy of Hawaii. The military provides training and job opportunities for many residents. Its economic contribution is second only to tourism with expenditures that exceed \$3.6 billion annually.

Testimony in support of this measure was submitted by the State of Hawaii Department of Defense.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 25 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Bainum, Herkes, Hirono, Oshiro, Peters and Takamine.

SCRep. 1301 Judiciary on H.C.R. No. 30

The purposes of this concurrent resolution are to request that the United States military:

- (1) Maintain its current level of military readiness and personnel in Hawaii by retaining adequate training facilities and areas; and
- (2) Develop new roles for military personnel stationed in Hawaii.

The military in Hawaii provides the United States with a strategic military advantage that meets regional security needs and missions in the Pacific region. Moreover, it also contributes to nation building and strengthens our Nation's ties to other countries in the Pacific region. The key to maintaining and enhancing the effectiveness of our military readiness in Hawaii is to assure the availability and continued operation of training areas that support military mission training.

In addition, the military substantially contributes to the economy of Hawaii. The military provides training and job opportunities for many residents. Its economic contribution is second only to tourism with expenditures that exceed \$3.6 billion annually.

Testimony in support of this measure was submitted by the State of Hawaii Department of Defense.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 30 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Bainum, Herkes, Hirono, Oshiro, Peters and Takamine.

SCRep. 1302 Judiciary on H.R. No. 22

The purpose of this resolution is to support and maintain the on-going mission of the Pacific Missile Range Facility (PMRF) located at Mana, Kauai.

Twenty-eight years ago, the PMRF was established and has since been acclaimed as the world's premier missile testing and fleet maneuvering site. At the national level, its strategic value and status as the foremost missile range facility preserves and enhances our Nation's defenses. Its provision of garrison and effective training, testing, and evaluation facilities for our armed forces strengthens each unit's mobility and technical capabilities. At the local level, the PMRF contributes substantially to Kauai's economy by providing technical and skilled job opportunities for the residents.

Testimony in support of this measure was submitted by the State of Hawaii Department of Defense.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 22 and recommends its adoption.

Signed by all members of the Committee except Representatives Bunda, Herkes, Hirono, Oshiro and Takamine.

SCRep. 1303 Judiciary on H.R. No. 40

The purpose of this resolution is to request that the U.S. Congress and the Hawaii State Legislature enact effective legislation that addresses the escalating problem of violence against women to assure their equal protection under the law and human rights.

Rape, domestic violence, spouse abuse, assault, robbery, and other violent crimes against women are well-documented as serious social problems in society. To help the victims of these crimes, comprehensive community-based support and services need to be made available to both the victims and perpetrators of the crimes to reduce these incidences of violence from occurring and recurring. In addition, social service, health, and criminal justice systems must also work together to provide community-based support, expertise, and education. The enactment of effective legislation will greatly encourage these efforts.

Testimony in support of this measure was submitted by the University of Hawaii Women's Center, the University of Hawaii, the Police Department of the City and County of Honolulu, the Sex Abuse Treatment Center, and a private citizen.

Your Committee has amended this resolution by:

- (1) Deleting the reference to the 1992 State Democratic Convention; and
- (2) Making technical, nonsubstantive amendments for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 40, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 40, H.D. 1.

Signed by all members of the Committee except Representatives Bainum, Herkes, Hirono, Oshiro and Takamine.

SCRep. 1304 Judiciary on H.C.R. No. 8

The purpose of this concurrent resolution is to request that the U.S. Congress and the Hawaii State Legislature enact effective legislation that addresses the escalating problem of violence against women to assure their equal protection under the law and human rights.

Rape, domestic violence, spouse abuse, assault, robbery, and other violent crimes against women are well-documented as serious social problems in society. To help the victims of these crimes, comprehensive community-based support and services need to be made available to both the victims and perpetrators of the crimes to reduce these incidences of violence from occurring and recurring. In addition, social service, health, and criminal justice systems must also work together to provide community-based support, expertise, and education. The enactment of effective legislation will greatly encourage these efforts.

Testimony in support of this measure was submitted by the University of Hawaii Women's Center, the University of Hawaii, the Police Department of the City and County of Honolulu, the Sex Abuse Treatment Center, and a private citizen.

Your Committee has amended this concurrent resolution by:

- (1) Deleting the reference to the 1992 State Democratic Convention; and
- (2) Making technical, nonsubstantive amendments for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 8, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 8, H.D. 1.

Signed by all members of the Committee except Representatives Bainum, Herkes, Hirono, Oshiro and Takamine.

SCRep. 1305 Judiciary on H.R. No. 102

The purpose of this resolution is to urge our congressional delegation to initiate and all congressional leaders to support legislation and other action to ensure that all naturalized Filipino World War II veterans receive all rights and benefits to which other American veterans are entitled.

During World War II Filipinos fought bravely to aid American troops and were under the direct authority of the American military. The United States Congress enacted legislation authorizing the naturalization of all aliens serving in the United States armed forces, but the United States withdrew its immigration examiner from the Philippines and allowed the law to lapse in 1946, so that few Filipino veterans were able to avail themselves of the law.

Currently only regular scouts who joined before October 1945 are entitled to the same full range of benefits as the veterans of American units, yet Filipino veterans received little or no pay for their services and were deprived of any benefits whatsoever during the time they have waited for American citizenship.

Filipinos play a major role in our community and strongly support the Filipino Veterans' fight for benefits which are so long overdue.

Testimony in support of this measure was submitted by the Department of Defense, the Filipino American Veterans and the United Filipino Council of Hawaii.

Your Committee has amended the measure to reflect the fact that many Filipino veterans fought without pay, that the Filipino community supports the veterans in their quest for equity, that these benefits are long overdue, and that a strong message needs to be sent to congressional leaders.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.R. No. 102, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 102, H.D. 1.

Signed by all members of the Committee except Representatives Bainum, Herkes, Hirono, Oshiro, Peters and Takamine.

SCRep. 1306 Judiciary on H.C.R. No. 105

The purpose of this concurrent resolution is to urge our congressional delegation to initiate and all congressional leaders to support legislation and other action to ensure that all naturalized Filipino World War II veterans receive all rights and benefits to which other American veterans are entitled.

During World War II Filipinos fought bravely to aid American troops and were under the direct authority of the American military. The United States Congress enacted legislation authorizing the naturalization of all aliens serving in

the United States armed forces, but the United States withdrew its immigration examiner from the Philippines and allowed the law to lapse in 1946, so that few Filipino veterans were able to avail themselves of the law.

Currently only regular scouts who joined before October 1945 are entitled to the same full range of benefits as the veterans of American units, yet Filipino veterans received little or no pay for their services and were deprived of any benefits whatsoever during the time they have waited for American citizenship.

Filipinos play a major role in our community and strongly support the Filipino Veterans' fight for benefits which are so long overdue.

Testimony in support of this measure was submitted by the Department of Defense, the Filipino American Veterans and the United Filipino Council of Hawaii.

Your Committee has amended the measure to reflect the fact that many Filipino veterans fought without pay, that the Filipino community supports the veterans in their quest for equity, that these benefits are long overdue, and that a strong message needs to be sent to congressional leaders.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.C.R. No. 105, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 105, H.D. 1.

Signed by all members of the Committee except Representatives Bainum, Herkes, Hirono, Oshiro, Peters and Takamine.

SCRep. 1307 Judiciary and Public Safety and Corrections on H.C.R. No. 86

The purpose of this concurrent resolution is to request the Department of Public Safety (PSD) to conduct a study and submit a report that will provide complete information on the full range of implications related to providing photos of paroled offenders, or offenders who will receive final unconditional release from prison, to victims or surviving immediate family members.

Testimony in support of this measure was submitted by the Department of Public Safety and the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committees have amended this measure by:

- (1) Specifying that certified copies of this measure be transmitted to the PSD, the Department of the Attorney General, and the Hawaii Paroling Authority; and
- (2) Making technical, nonsubstantive amendments for purposes of style and clarity.

As affirmed by the records of votes of the members of your Committees on Judiciary and Public Safety and Corrections that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 86, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 86, H.D. 1.

Signed by all members of the Committees except Representatives Bainum, Bunda, Herkes, Hirono, Oshiro and Takamine.

SCRep. 1308 Judiciary and Public Safety and Corrections on H.R. No. 84

The purpose of this resolution is to request the Department of Public Safety (PSD) to conduct a study and submit a report that will provide complete information on the full range of implications related to providing photos of paroled offenders, or offenders who will receive final unconditional release from prison, to victims or surviving immediate family members.

Testimony in support of this measure was submitted by the Department of Public Safety and the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committees have amended this measure by:

- (1) Specifying that certified copies of this measure be transmitted to the PSD, the Department of the Attorney General, and the Hawaii Paroling Authority; and
- (2) Making technical, nonsubstantive amendments for purposes of style and clarity.

As affirmed by the records of votes of the members of your Committees on Judiciary and Public Safety and Corrections that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 84, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 84, H.D. 1.

Signed by all members of the Committees except Representatives Bainum, Bunda, Herkes, Hirono, Oshiro and Takamine.

SCRep. 1309 Judiciary on H.C.R. No. 470

The purpose of this concurrent resolution is to urge each print and broadcast media organization conducting business, preparing and disseminating reports, or editorializing on local and state events to voluntarily establish a financial disclosure system of revenue sources and assets as well as expenses.

Testimony in support of this measure was submitted by private citizens. Opposing testimony was submitted by the Hawaii Publishers Association, the Maui News, West Hawaii Today, KITV-TV, KHON-TV, and a private citizen. The Honolulu Advertiser submitted comments.

Because public opinion is shaped by the media, it serves the public's best interest to be presented with unbiased information that is not potentially influenced by the financial interests of the media. It is the understanding of your Committee that all media personnel adhere to a code of ethics that imposes a duty to report all information without prejudice. While this is admirable, your Committee finds that the voluntary financial disclosure of the media's interests would further assure the public receipt of accurate and unbiased information.

Accordingly, your Committee has amended this concurrent resolution by adding:

- (1) A clause stressing that the public's opinion is shaped by the media because of its important linkage to all communication of thoughts, ideas, and events; and
- (2) A clause that notes the lack of "sunshine" laws applicable to the media but expresses the public's need for unbiased presentation of issues which far outweighs any argument on the part of the media against voluntary financial disclosures.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 470, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 470, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Herkes, Hirono, Oshiro and Takamine.
(Representatives Chun, Menor and Thielen voted no.)

SCRep. 1310 Judiciary on H.R. No. 425

The purpose of this resolution is to urge each print and broadcast media organization conducting business, preparing and disseminating reports, or editorializing on local and state events to voluntarily establish a financial disclosure system of revenue sources and assets as well as expenses.

Testimony in support of this measure was submitted by private citizens. Opposing testimony was submitted by the Hawaii Publishers Association, the Maui News, West Hawaii Today, KITV-TV, KHON-TV, and a private citizen. The Honolulu Advertiser submitted comments.

Because public opinion is shaped by the media, it serves the public's best interest to be presented with unbiased information that is not potentially influenced by the financial interests of the media. It is the understanding of your Committee that all media personnel adhere to a code of ethics that imposes a duty to report all information without prejudice. While this is admirable, your Committee finds that the voluntary financial disclosure of the media's interests would further assure the public receipt of accurate and unbiased information.

Accordingly, your Committee has amended this resolution by adding:

- (1) A clause stressing that the public's opinion is shaped by the media because of its important linkage to all communication of thoughts, ideas, and events; and
- (2) A clause that notes the lack of "sunshine" laws applicable to the media but expresses the public's need for unbiased presentation of issues which far outweighs any argument on the part of the media against voluntary financial disclosures.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 425, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 425, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Herkes, Hirono, Oshiro and Takamine.
(Representatives Chun, Menor and Thielen voted no.)

SCRep. 1311 Human Services; Health; and Legislative Management on H.C.R. No. 317

The purpose of this concurrent resolution is to request the Auditor to conduct an assessment on the maximization of federal funding by social service programs under the Department of Health and the Department of Human Services.

Testimony from the Department of Human Services and the Department of Health indicated that both agencies would cooperate with the Auditor in carrying out the requests of this concurrent resolution.

Your Committees find that with the costs of social service programs escalating at alarming rates, any effort to identify new and innovative federal funding mechanisms should be pursued. Your Committees are in full support of this measure.

As affirmed by the records of votes of the members of your Committees on Human Services and Health and Legislative Management that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 317 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Arakaki, Baker, Peters, Santiago and Young.

SCRep. 1312 Judiciary and Human Services on H.C.R. No. 439

The purpose of this concurrent resolution is to request the Auditor to determine the effectiveness of the State's services for child abuse and neglect by performing an audit on the Child Welfare System of the Department of Human Services, Child Protective Services Agency.

The Hawaii Chapter of the American Academy of Pediatrics testified in support of this measure. The Department of Human Services (DHS) testified that it will cooperate fully with the Auditor's study and it suggested an amendment to the concurrent resolution to focus on the statewide Child Death Review System. The State Child Welfare Services Advisory Council stated that it did not have time to convene the committee in order to take a position on this matter.

Your Committees believe that the audit should address additional matters. Your Committees are concerned about the new initiatives and programs that are being performed by DHS through its teaming concepts. Also, your Committees are interested in the State's child death review system and the specific causes for child deaths. Accordingly, your Committees have amended this concurrent resolution as follows:

1. Added clauses identifying the Committees concerns regarding the teaming concepts and the State's child death review system;
2. Requested that the audit include assessments regarding the teaming concepts and the State's child death review system; and
3. Authorized the Auditor to exercise discretion in order to make recommendations and suggestions regarding items that are related to the matters to be studied.

As affirmed by the records of votes of the members of your Committees on Judiciary and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 439, as amended herein, and recommend that it be referred to the Committee on Legislative Management in the form attached hereto as H.C.R. No. 439, H.D. 1.

Signed by all members of the Committees except Representatives Bunda, Duldulao, Herkes, Hirono, Menor, Oshiro and Peters.

SCRep. 1313 Judiciary and Human Services on H.C.R. No. 459

The purpose of this concurrent resolution is to establish a domestic violence coordinating council to address the issue of the jury trial backlog in Family Court in domestic violence cases.

Domestic violence cases are not being heard in a timely manner in the Family Court of the First Circuit. Currently there are 50 new jury trials demanded each week, while the court conducts an average of two jury trials per week.

As a result, a backlog has developed. The "speedy trial" rule has caused numerous cases to be dismissed.

The need to address this problem has become obvious, for the security of the victims of domestic violence is at stake. Your Committee finds that those concerned with this issue should gather together to evaluate the situation and propose solutions.

Your Committee received testimony in support of the measure from representatives of the Judiciary, the Commission on the Status of Women, the Sex Abuse Treatment Center, and the Department of the Prosecuting Attorney, City and County of Honolulu.

Your Committee has amended the measure to make the study come under the auspices of the Judiciary, and to make a more specific list of groups which are to receive a copy of the concurrent resolution.

As affirmed by the records of votes of the members of your Committees on Judiciary and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 459, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 459, H.D. 1.

Signed by all members of the Committees except Representatives Bunda, Duldulao, Herkes, Hirono, Menor, Oshiro and Peters.

SCRep. 1314 Judiciary and Human Services on H.R. No. 410

The purpose of this resolution is to establish a domestic violence coordinating council to address the issue of the jury trial backlog in Family Court in domestic violence cases.

Domestic violence cases are not being heard in a timely manner in the Family Court of the First Circuit. Currently there are 50 new jury trials demanded each week, while the court conducts an average of two jury trials per week.

As a result, a backlog has developed. The "speedy trial" rule has caused numerous cases to be dismissed.

The need to address this problem has become obvious, for the security of the victims of domestic violence is at stake. Your Committee finds that those concerned with this issue should gather together to evaluate the situation and propose solutions.

Your Committee received testimony in support of the measure from representatives of the Judiciary, the Commission on the Status of Women, the Sex Abuse Treatment Center, and the Department of the Prosecuting Attorney, City and County of Honolulu.

Your Committee has amended the measure to make the study come under the auspices of the Judiciary, and to make a more specific list of groups which are to receive a copy of the resolution.

As affirmed by the records of votes of the members of your Committees on Judiciary and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.R. No. 410, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 410, H.D. 1.

Signed by all members of the Committees except Representatives Bunda, Duldulao, Herkes, Hirono, Menor, Oshiro and Peters.

SCRep. 1315 Human Services and Health on H.C.R. No. 303

The purpose of this concurrent resolution is to urge the Department of Human Services (DHS) to increase utilization of the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) program and to: (1) shorten the medicaid application form from its present 22 pages to 2-5 pages; (2) stop requiring medicaid providers to apply separately to become EPSDT service providers; (3) stop requiring the additional EPSDT provider claim form for providing EPSDT-eligible services; (4) increase medicaid reimbursement rates for all services subsequent to an EPSDT screen; (5) broaden the EPSDT provider base by licensing social workers in Hawaii as medical professionals; and (6) designate staff from the DHS and the department of health to coordinate efforts and to reduce existing barriers to maximizing federal medicaid reimbursement.

Testimony from the State Planning Council on Developmental Disabilities, Kapiolani Medical Center for Women and Children, Hawaii Advocates for Children and Youth, Commission on Persons with Disabilities, and the Mental Health Association in Hawaii was received in support of this measure. The Department of Human Services support of the intent of this measure, but could not support the specific recommendations.

Your Committees find that while Hawaii's health care system is drawing national attention, infants and children in the state are going without adequate medical attention, even when it could be remedied by the Early Periodic Screening, Diagnostic, and Treatment (EPSDT) program. Many of the children in institutional settings have a need for the services covered by the EPSDT program, however, the current system has a number of disincentives for program participation including burdensome paperwork, a complex billing mechanism, and additional steps for EPSDT qualification. Many of the needed services identified through EPSDT are 100% reimbursable by the federal government, thus the state is losing funds by not taking full advantage of this program.

Upon further consideration, your Committees have amended this measure by:

- (1) Changing item (1) of the "BE IT RESOLVED" section to read as follows:

"Shorten the medicaid application form from its present twenty-two pages to not more than five pages;"

- (2) Inserting the following language into item (6):

"such as prior authorization, qualified providers, non-qualifying partial providers, and mid-level practitioners,"; and

- (3) Adding the following:

"BE IT FURTHER RESOLVED that should the department not be able to implement the recommendations listed above, the report shall include reasons why the department cannot implement the recommendations".

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 303, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 303, H.D. 1.

Signed by all members of the Committees except Representatives Ihara, Kawakami and Peters.

SCRep. 1316 Human Services and Health on H.R. No. 293

The purpose of this resolution is to urge the Department of Human Services (DHS) to increase utilization of the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) program and to: (1) shorten the medicaid application form from its present 22 pages to 2-5 pages; (2) stop requiring medicaid providers to apply separately to become EPSDT service providers; (3) stop requiring the additional EPSDT provider claim form for providing EPSDT-eligible services; (4) increase medicaid reimbursement rates for all services subsequent to an EPSDT screen; (5) broaden the EPSDT provider base by licensing social workers in Hawaii as medical professionals; and (6) designate staff from the DHS and the department of health to coordinate efforts and to reduce existing barriers to maximizing federal medicaid reimbursement.

Testimony from the State Planning Council on Developmental Disabilities, Kapiolani Medical Center for Women and Children, Hawaii Advocates for Children and Youth, Commission on Persons with Disabilities, and the Mental Health Association in Hawaii was received in support of this measure. The Department of Human Services support of the intent of this measure, but could not support the specific recommendations.

Your Committees find that while Hawaii's health care system is drawing national attention, infants and children in the state are going without adequate medical attention, even when it could be remedied by the Early Periodic Screening, Diagnostic, and Treatment (EPSDT) program. Many of the children in institutional settings have a need for the services covered by the EPSDT program, however, the current system has a number of disincentives for program participation including burdensome paperwork, a complex billing mechanism, and additional steps for EPSDT qualification. Many of the needed services identified through EPSDT are 100% reimbursable by the federal government, thus the state is losing funds by not taking full advantage of this program.

Upon further consideration, your Committees have amended this measure by:

- (1) Changing item (1) of the "BE IT RESOLVED" section to read as follows:
 "Shorten the medicaid application form from its present twenty-two pages to not more than five pages;"
- (2) Inserting the following language into item (6):
 "such as prior authorization, qualified providers, non-qualifying partial providers, and mid-level practitioners,"; and
- (3) Adding the following:
 "BE IT FURTHER RESOLVED that should the department not be able to implement the recommendations listed above, the report shall include reasons why the department cannot implement the recommendations".

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 293, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 293, H.D. 1.

Signed by all members of the Committees except Representatives Ihara, Kawakami and Peters.

SCRep. 1317 Human Services on H.C.R. No. 378

The purpose of this concurrent resolution is to request the Executive Office on Aging, in conjunction with the Department of Human Services and the Department of Health, to work with the adult day care and adult day health community towards the implementation of the findings, recommendations, and policies contained in the document, "A Strategic Plan for Adult Day Centers in Hawaii".

Testimony from the Executive Office on Aging, Adult Day Centers Hawaii, Inc., Hawaii Island Adult Care, Inc., and the Kokua Council for Senior Citizens was received in strong support of this measure. The Department of Human Services submitted testimony stating that they would cooperate to meet the Legislature's request.

Your Committee finds that "The Strategic Plan for Adult Day Centers in Hawaii", developed as a collaborative effort between the Executive Office on Aging and professionals from various industries, including adult day care and adult day health, should serve as a blueprint for action for the adult day center industry to meet the future long term care needs of the people of Hawaii. This report examines and provides a vision for addressing the needs of the industry in the areas of financing, consumer education, workforce development, consumer satisfaction, infrastructure development, and quality assurance. Adult day care centers have proven to be an extremely cost effective option to institutional care. These centers provide (1) a safe, supportive environment for the elderly while family members work, or take a break from the constant pressures of caregiving; (2) daily health care such as bathing, grooming, nursing intervention, restorative therapy, and nutritious meals; and (3) socialization, recreation, exercise, education, and outings, at an approximate cost of \$25 - \$35 per day. The average cost of institutional care in Hawaii is approximately \$125 per day.

Upon further consideration, your Committee has amended this concurrent resolution by:

- (1) adding "and adult day health" after all appropriate occurrences of "adult day care"; and
- (2) adding a new section that reads as follows:

"BE IT FURTHER RESOLVED that, as part of the implementation plan, the Executive Office on Aging, in conjunction with the Department of Human Services and the Department of Health, also identify possible medicaid waivers and other federal reimbursement programs for which the adult day care and adult day health facilities may qualify; and".

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 378, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 378, H.D. 1.

Signed by all members of the Committee except Representatives Duldulao, Peters and Santiago.

SCRep. 1318 Human Services on H.R. No. 345

The purpose of this resolution is to request the Executive Office on Aging, in conjunction with the Department of Human Services and the Department of Health, to work with the adult day care and adult day health community towards the implementation of the findings, recommendations, and policies contained in the document, "A Strategic Plan for Adult Day Centers in Hawaii".

Testimony from the Executive Office on Aging, Adult Day Centers Hawaii, Inc., Hawaii Island Adult Care, Inc., and the Kokua Council for Senior Citizens was received in strong support of this measure. The Department of Human Services submitted testimony stating that they would cooperate to meet the Legislature's request.

Your Committee finds that "The Strategic Plan for Adult Day Centers in Hawaii", developed as a collaborative effort between the Executive Office on Aging and professionals from various industries, including adult day care and adult day health, should serve as a blueprint for action for the adult day center industry to meet the future long term care needs of the people of Hawaii. This report examines and provides a vision for addressing the needs of the industry in the areas of financing, consumer education, workforce development, consumer satisfaction, infrastructure development, and quality assurance. Adult day care centers have proven to be an extremely cost effective option to institutional care. These centers provide (1) a safe, supportive environment for the elderly while family members work, or take a break from the constant pressures of caregiving; (2) daily health care such as bathing, grooming, nursing intervention, restorative therapy, and nutritious meals; and (3) socialization, recreation, exercise, education, and outings, at an approximate cost of \$25 - \$35 per day. The average cost of institutional care in Hawaii is approximately \$125 per day.

Upon further consideration, your Committee has amended this resolution by:

- (1) adding "and adult day health" after all appropriate occurrences of "adult day care"; and
- (2) adding a new section that reads as follows:

"BE IT FURTHER RESOLVED that, as part of the implementation plan, the Executive Office on Aging, in conjunction with the Department of Human Services and the Department of Health, also identify possible medicaid waivers and other federal reimbursement programs for which the adult day care and adult day health facilities may qualify; and".

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 345, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 345, H.D. 1.

Signed by all members of the Committee except Representatives Duldulao, Peters and Santiago.

SCRep. 1319 Human Services and Health on H.C.R. No. 123

The purpose of this concurrent resolution is to request the Department of Human Services to conduct a study to assess the feasibility of imposing penalty or interest payments on the State for overdue or late state supplemental payments to adult residential care home operators.

Testimony from the Commission on Persons with Disabilities was received in support of this measure. The Department of Human Services submitted testimony stating that the department is currently examining internal processes to determine where delays are occurring. The department also expressed concern about imposing penalty or interest payments, because payments are made directly to clients, and not the operators of residential care homes.

Your Committees note that it is the individual receiving services from adult residential care homes who is entitled to a federal supplemental security income (SSI) check to pay for domiciliary care. The state adds supplemental funds to the SSI payment, and the combined check is issued by the federal Social Security Administration. The clients are, in turn, expected to make their adult residential care home payments. Payments to clients require a number of steps, such as verification of eligibility and coordination with SSI payment cut-off dates. Thus, the initial payment process is not immediate.

Upon further consideration, your Committees have amended this measure to:

- (1) reflect that clients receive payments before the operators of adult residential care homes;
- (2) modify the intent of the concurrent resolution by requesting the Department of Human Services, in conjunction with the Department of Health, to provide a "study to identify the steps and time frames involved

in processing payments to recipients in adult residential care homes(who in turn pay the operators), including the reasons for delays in payments, and the possible corrective actions, including direct payments to adult residential care homes, which might be taken by the department; and

- (3) include the Department of Health in the preparation of the report to be submitted to the Legislature.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 123, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 123, H.D. 1.

Signed by all members of the Committees except Representatives Ihara, Kawakami and Peters.

SCRep. 1320 Human Services and Health on H.R. No. 120

The purpose of this resolution is to request the Department of Human Services to conduct a study to assess the feasibility of imposing penalty or interest payments on the State for overdue or late state supplemental payments to adult residential care home operators.

Testimony from the Commission on Persons with Disabilities was received in support of this measure. The Department of Human Services submitted testimony stating that the department is currently examining internal processes to determine where delays are occurring. The department also expressed concern about imposing penalty or interest payments, because payments are made directly to clients, and not the operators of residential care homes.

Your Committees note that it is the individual receiving services from adult residential care homes who is entitled to a federal supplemental security income (SSI) check to pay for domiciliary care. The state adds supplemental funds to the SSI payment, and the combined check is issued by the federal Social Security Administration. The clients are, in turn, expected to make their adult residential care home payments. Payments to clients require a number of steps, such as verification of eligibility and coordination with SSI payment cut-off dates. Thus, the initial payment process is not immediate.

Upon further consideration, your Committees have amended this measure to:

- (1) reflect that clients receive payments before the operators of adult residential care homes;
- (2) modify the intent of the resolution by requesting the Department of Human Services, in conjunction with the Department of Health, to provide a "study to identify the steps and time frames involved in processing payments to recipients in adult residential care homes(who in turn pay the operators), including the reasons for delays in payments, and the possible corrective actions, including direct payments to adult residential care homes, which might be taken by the department; and
- (3) include the Department of Health in the preparation of the report to be submitted to the Legislature.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 120, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 120, H.D. 1.

Signed by all members of the Committees except Representatives Ihara, Kawakami and Peters.

SCRep. 1321 Human Services and Health on H.C.R. No. 144

The purpose of this concurrent resolution is to request the Department of Human Services and the Department of Health to ascertain potential cost savings related to maximizing the efficiency of the reimbursement process for Medicaid patients and users via a restructuring of Medicaid reimbursement collection processes for the community hospital system of the State.

Testimony from the Department of Health and the Department of Human Services was received in support of the intent of this measure.

Your Committees find that any efforts to reduce the costs associated with Medicaid, and to streamline the service delivery system should be pursued. It is noted that the two departments are cooperating to reduce paperwork and improve the efficiency and effectiveness of the Medicaid service delivery, financing, and reimbursement system.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 144 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Ihara, Isbell, Kawakami and Peters.

SCRep. 1322 Human Services and Health on H.R. No. 137

The purpose of this resolution is to request the Department of Human Services and the Department of Health to ascertain potential cost savings related to maximizing the efficiency of the reimbursement process for Medicaid patients

and users via a restructuring of Medicaid reimbursement collection processes for the community hospital system of the State.

Testimony from the Department of Health and the Department of Human Services was received in support of the intent of this measure.

Your Committees find that any efforts to reduce the costs associated with Medicaid, and to streamline the service delivery system should be pursued. It is noted that the two departments are cooperating to reduce paperwork and improve the efficiency and effectiveness of the Medicaid service delivery, financing, and reimbursement system.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 137 as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 137, H.D. 1.

Signed by all members of the Committees except Representatives Ihara, Isbell, Kawakami and Peters.

SCRep. 1323 Human Services and Health on H.R. No. 285

The purpose of this resolution is to affirm commitment to the values and recommendations expressed in the report submitted by the State Planning Council on Developmental Disabilities. The resolution also requests the Family Support Action Committee, in cooperation with the State Planning Council on Developmental Disabilities, to develop an implementation plan to enhance and expand family support services to families of persons with disabilities, and make recommendations to the Legislature.

Testimony from the State Planning Council on Developmental Disabilities, the Commission on Persons with Disabilities, the Autism Society of Hawaii, Project Po'ohala, and the Mental Health Association in Hawai'i was received in support of this measure, while the Department of Health testified in support of the intent of this measure.

Your Committees find that family support is a system of "whatever it takes" to allow families to keep their family member with a disability at home. Family support may include, but not be limited to, respite care, medication and supplies, architectural barrier removal, education and training, transportation, cash subsidies, crisis intervention, recreational activities, and a host of other services. Family support is based on the belief that all people, regardless of their disability, need families and lasting relationships in a nurturing home environment.

Your Committees fully support the intent and purpose of this resolution.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 285 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Ihara, Kawakami and Peters.

SCRep. 1324 Human Services and Health on H.C.R. No. 289

The purpose of this concurrent resolution is to affirm commitment to the values and recommendations expressed in the report submitted by the State Planning Council on Developmental Disabilities. The concurrent resolution also requests the Family Support Action Committee, in cooperation with the State Planning Council on Developmental Disabilities, to develop an implementation plan to enhance and expand family support services to families of persons with disabilities, and make recommendations to the Legislature.

Testimony from the State Planning Council on Developmental Disabilities, the Commission on Persons with Disabilities, the Autism Society of Hawaii, Project Po'ohala, and the Mental Health Association in Hawai'i was received in support of this measure, while the Department of Health testified in support of the intent of this measure.

Your Committees find that family support is a system of "whatever it takes" to allow families to keep their family member with a disability at home. Family support may include, but not be limited to, respite care, medication and supplies, architectural barrier removal, education and training, transportation, cash subsidies, crisis intervention, recreational activities, and a host of other services. Family support is based on the belief that all people, regardless of their disability, need families and lasting relationships in a nurturing home environment.

Your Committees fully support the intent and purpose of this concurrent resolution.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 289 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Ihara, Kawakami and Peters.

SCRep. 1325 Human Services; Health; and Consumer Protection and Commerce on H.R. No. 430

The purpose of this resolution is to urge the House Committee on Human Services to facilitate the organization of an interim committee to address the issue of long term care and long term care financing.

Testimony from the Executive Office on Aging, the Hawaii Association for Home Care, the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, the National Association of Retired Federal Employees, the Chamber of Commerce of Hawaii, the Healthcare Association of Hawaii, the Hawaii Association of Domestic Life Insurers, and the American Association of Retired Persons, was received in support of this measure. The Department of Human Services, the Hawaii State Association of Life Underwriters, the Hawaii Long Term Care Association, and Kaiser Permanente expressed support for the intent of this measure, while the Governor's Policy and Advisory Board for Elder Affairs and the ILWU submitted testimony in opposition to this measure.

Your Committees find that advances in technology and medical care that prolong life have presented society with physical, financial, and ethical problems that have never been encountered before. Shortages of physical resources such as day care, day health centers, and nursing homes; human resources such as respite caregivers, home health aides, nurse aides, and licensed practical nurses; and financial resources necessary to adequately pay for needed services has created a problem that does not have a simple solution. All segments of society must be involved in the creation of solutions that are innovative, compassionate, and dignified for the health and well being of the people of Hawaii.

Upon further consideration, your Committees have amended this measure by:

- (1) replacing all occurrences of "interim work group" with "interim committee";
- (2) inserting a new beginning as follows:

"WHEREAS, long term care is a continuum of services including home care, home health, respite, day care, day health, and nursing home services, and any long term care financing plan should support whatever level of care is appropriate for each individual and family; and"
- (3) inserting the following language to explain the legislative history of long term care financing:

"WHEREAS, in 1985, the Legislature designated the Executive Office on Aging as the lead agency for long term care planning; and

WHEREAS, in 1987, the "Long Term Care Plan for Hawaii's Older Adults" was developed by the Executive Office on Aging, and adopted by the Legislature in 1988; and

WHEREAS, in 1991, four long term care financing options were presented to the Legislature by the Executive Office on Aging; and

WHEREAS, in 1991, the Legislature established the Long Term Care Financing Advisory Board, and directed them to select one of the four options; and

WHEREAS, in 1992, one option, subsequently called Family Hope, was presented to the Legislature; and"
- (4) including the Japanese Chamber of Commerce, the Policy Advisory Board on Elder Affairs, the Hawaii Medical Association, and the Hawaii Federation of Dentists and Physicians as possible members of the interim committee;
- (5) requiring the interim committee to do the following:
 - "(1) addressing the concerns raised by legislators and the general public relating to the Family Hope proposal;
 - (2) a review and validation of the actuarial data compiled by the Executive Office on Aging for the Family Hope Program;
 - (3) a review of all four long term care financing options presented to the 1991 Legislature;
 - (4) a review and analysis of any new creative proposals and their impact upon families, the State budget, long term care industry, and the general State economy;
 - (5) an identification of the projected populations to be covered, and the package of benefits and services to be provided by the various financing options; and
 - (6) a comparison of similarities and differences between Social Security, Medicare, Medicaid, and Family Hope;"
- (6) requiring the Executive Office on Aging to present:
 - "(1) facts and statistics that speak to the compelling need for long term care financing options; and
 - (2) a historical review of the legislative intent to pursue a long term care financing proposal;"
- (7) requiring "the 130 financing options and any supporting data, considered by the Executive Office on Aging, be made available to members of the interim committee at their request";
- (8) allowing the interim committee to monitor a variety of local and federal initiatives that may impact facets of long term care;

- (9) providing that the final report of this interim committee be submitted to the Legislature by October 1, 1993; and
- (10) requiring that "the information gathered by the interim committee be made available to the general public via statewide community forums, media coverage, and other means of communication".

As affirmed by the records of votes of the members of your Committees on Human Services and Health and Consumer Protection and Commerce that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 430, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 430, H.D. 1.

Signed by all members of the Committees except Representatives Cachola, Herkes, Hiraki, Hirono, Isbell, Kawakami, Menor, Takamine and O'Kieffe.

SCRep. 1326 Human Services; Health; and Consumer Protection and Commerce on H.C.R. No. 485

The purpose of this concurrent resolution is to urge the House Committee on Human Services to facilitate the organization of an interim committee to address the issue of long term care and long term care financing.

Testimony from the Executive Office on Aging, the Hawaii Association for Home Care, the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, the National Association of Retired Federal Employees, the Chamber of Commerce of Hawaii, the Healthcare Association of Hawaii, the Hawaii Association of Domestic Life Insurers, and the American Association of Retired Persons, was received in support of this measure. The Department of Human Services, the Hawaii State Association of Life Underwriters, the Hawaii Long Term Care Association, and Kaiser Permanente expressed support for the intent of this measure, while the Governor's Policy and Advisory Board for Elder Affairs and the ILWU submitted testimony in opposition to this measure.

Your Committees find that advances in technology and medical care that prolong life have presented society with physical, financial, and ethical problems that have never been encountered before. Shortages of physical resources such as day care, day health centers, and nursing homes; human resources such as respite caregivers, home health aides, nurse aides, and licensed practical nurses; and financial resources necessary to adequately pay for needed services has created a problem that does not have a simple solution. All segments of society must be involved in the creation of solutions that are innovative, compassionate, and dignified for the health and well being of the people of Hawaii.

Upon further consideration, your Committees have amended this measure by:

- (1) replacing all occurrences of "interim work group" with "interim committee";
- (2) inserting a new beginning as follows:

"WHEREAS, long term care is a continuum of services including home care, home health, respite, day care, day health, and nursing home services, and any long term care financing plan should support whatever level of care is appropriate for each individual and family; and"
- (3) inserting the following language to explain the legislative history of long term care financing:

"WHEREAS, in 1985, the Legislature designated the Executive Office on Aging as the lead agency for long term care planning; and

WHEREAS, in 1987, the "Long Term Care Plan for Hawaii's Older Adults" was developed by the Executive Office on Aging, and adopted by the Legislature in 1988; and

WHEREAS, in 1991, four long term care financing options were presented to the Legislature by the Executive Office on Aging; and

WHEREAS, in 1991, the Legislature established the Long Term Care Financing Advisory Board, and directed them to select one of the four options; and

WHEREAS, in 1992, one option, subsequently called Family Hope, was presented to the Legislature; and"
- (4) including the Japanese Chamber of Commerce, the Policy Advisory Board on Elder Affairs, the Hawaii Medical Association, and the Hawaii Federation of Dentists and Physicians as possible members of the interim committee;
- (5) requiring the interim committee to do the following:

"(1) addressing the concerns raised by legislators and the general public relating to the Family Hope proposal;

(2) a review and validation of the actuarial data compiled by the Executive Office on Aging for the Family Hope Program;

(3) a review of all four long term care financing options presented to the 1991 Legislature;

- (4) a review and analysis of any new creative proposals and their impact upon families, the State budget, long term care industry, and the general State economy;
- (5) an identification of the projected populations to be covered, and the package of benefits and services to be provided by the various financing options; and
- (6) a comparison of similarities and differences between Social Security, Medicare, Medicaid, and Family Hope;"
- (6) requiring the Executive Office on Aging to present:
 - "(1) facts and statistics that speak to the compelling need for long term care financing options; and
 - (2) a historical review of the legislative intent to pursue a long term care financing proposal;"
- (7) requiring "the 130 financing options and any supporting data, considered by the Executive Office on Aging, be made available to members of the interim committee at their request";
- (8) allowing the interim committee to monitor a variety of local and federal initiatives that may impact facets of long term care;
- (9) providing that the final report of this interim committee be submitted to the Legislature by October 1, 1993; and
- (10) requiring that "the information gathered by the interim committee be made available to the general public via statewide community forums, media coverage, and other means of communication".

As affirmed by the records of votes of the members of your Committees on Human Services and Health and Consumer Protection and Commerce that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 485, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 485, H.D. 1.

Signed by all members of the Committees except Representatives Cachola, Herkes, Hiraki, Hirono, Isbell, Kawakami, Menor, Takamine and O'Kieffe.

SCRep. 1327 Human Services on H.R. No. 99

The purpose of this resolution is to request the Legislative Reference Bureau to study the feasibility of the State providing liability insurance relief to adult residential care home operators. This resolution also requests assessments of:

- (1) reasons why adult residential care home operators are required to obtain insurance prior to licensure;
- (2) an insurance pool for adult residential care home operators; and
- (3) initiatives utilized by other human service providers to reduce the impacts of insurance costs.

Testimony from the Commission on Persons with Disabilities and the Kokua Council for Senior Citizens was received in support of this measure.

Your Committee finds that Hawaii's adult residential care home operators are declining to continue services to the elderly and the handicapped due to the costs attributed to liability insurance premiums. The economic burden of financing increased premiums for liability insurance coverage has caused many adult residential care home operators to reduce the quantity or the quality of services, or, in some cases, ceased to provide certain services to the public. It is also noted that day care facility operators are not impacted by increases in liability insurance premiums because they are not required by State law to obtain liability insurance for licensure.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 99 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Duldulao, Peters and Santiago.

SCRep. 1328 Human Services on H.C.R. No. 101

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to study the feasibility of the State providing liability insurance relief to adult residential care home operators. This concurrent resolution also requests assessments of:

- (1) reasons why adult residential care home operators are required to obtain insurance prior to licensure;
- (2) an insurance pool for adult residential care home operators; and
- (3) initiatives utilized by other human service providers to reduce the impacts of insurance costs.

Testimony from the Commission on Persons with Disabilities and the Kokua Council for Senior Citizens was received in support of this measure.

Your Committee finds that Hawaii's adult residential care home operators are declining to continue services to the elderly and the handicapped due to the costs attributed to liability insurance premiums. The economic burden of financing increased premiums for liability insurance coverage has caused many adult residential care home operators to reduce the quantity or the quality of services, or, in some cases, ceased to provide certain services to the public. It is also noted that day care facility operators are not impacted by increases in liability insurance premiums because they are not required by State law to obtain liability insurance for licensure.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 101 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Duldulao, Peters and Santiago.

SCRep. 1329 Human Services; Health; and Legislative Management on H.C.R. No. 441

The purpose of this concurrent resolution is to request the Speaker of the House of Representatives to convene an interim legislative task force on Medicaid. This task force would review current Medicaid policies, and develop proposals to address the issues of increasing Medicaid costs and maximizing federal matching funds.

Testimony from the Dean of the School of Social Work at the University of Hawaii was received in support of this measure. Kaiser Permanente submitted testimony supporting the intent of this concurrent resolution, while the Department of Human Services and the Department of Health pledged to work with the interim legislative task force.

Your Committee finds that the task of controlling the escalating cost of health care, while ensuring adequate health coverage for the residents of Hawaii, is an extremely complex issue. Thus, your Committees are in full support of this measure.

As affirmed by the records of votes of the members of your Committees on Human Services and Health and Legislative Management that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 441 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Arakaki, Baker, Peters, Santiago and Young.

SCRep. 1330 Human Services; Health; and Legislative Management on H.R. No. 393

The purpose of this resolution is to request the Speaker of the House of Representatives to convene an interim legislative task force on Medicaid. This task force would review current Medicaid policies, and develop proposals to address the issues of increasing Medicaid costs and maximizing federal matching funds.

Testimony from the Dean of the School of Social Work at the University of Hawaii was received in support of this measure. Kaiser Permanente submitted testimony supporting the intent of this resolution, while the Department of Human Services and the Department of Health pledged to work with the interim legislative task force.

Your Committee finds that the task of controlling the escalating cost of health care, while ensuring adequate health coverage for the residents of Hawaii, is an extremely complex issue. Thus, your Committees are in full support of this measure.

As affirmed by the records of votes of the members of your Committees on Human Services and Health and Legislative Management that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 393 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Arakaki, Baker, Peters, Santiago and Young.

SCRep. 1331 Human Services on H.C.R.No. 368

The purpose of this concurrent resolution is to request the Department of Human Services to organize a Social Services Conversion Task Force to create an action plan and implementation timetable to restructure the focus of the department to:

- (1) Empower individuals to become self-sufficient;
- (2) Empower families to deal with the problems and challenges of their individual members; and
- (3) Focus on supporting and empowering families in their communities.

Testimony from the Department of Human Services was received in support of the concept and intent of this concurrent resolution. However, the department could not support its passage.

Your Committee finds that, in the past five years, the Department of Human Services has been refocusing its efforts to empower individuals to become self-sufficient, empower families to deal with problems, and support and empower families in their communities. This can be seen by the establishment of the Self-Sufficiency and Support Services Division within the department, as well as programs such as the Family Center Demonstration project, participation in the Governor's Family Policy Academy, and the Job Opportunities and Basic Skills (JOBS) program. Despite all the progress being made, problems still exist in the public assistance system of the State. Your Committee has concerns about professional providers of services as well as public assistance recipients who abuse the system, and the existing detection system for such fraud.

Upon further consideration, your Committee has amended this concurrent resolution by:

- (1) changing the title of the concurrent resolution to reflect the new intent:

"Requesting the Department of Human Services to report on efforts to restructure the public assistance system and requesting the Auditor to evaluate the detection system for welfare fraud."
- (2) adding four new "WHEREAS" sections that read as follows:

"WHEREAS, in addition to emphasizing the empowerment of individuals, it is important, especially in these times of caseload increases and budget deficits, that procedures be in place to ensure that public assistance funds are provided to persons who, in good faith, truly need it; and

WHEREAS, there have been reports of inappropriate spending of public assistance funds by public assistance recipients and professionals providing services; and

WHEREAS, more information regarding the extent and seriousness of such abuses of the public assistance system by public assistance recipients and professionals providing services, as well as the steps currently being taken to monitor and correct the situation, is needed before appropriate remedial adjustments to the system can be formulated and implemented; and

WHEREAS, the Department of Human Services presently has the dual role of empowering individuals and families, while, at the same time, monitoring and enforcing welfare fraud actions; now, therefore,"
- (3) requesting the Department of Human Services to:
 - (a) update its report to the Legislature in response to S.C.R. 36 SD1, HD1 requesting the Department of Human Services to investigate alternatives to welfare;
 - (b) make recommendations upon which future legislation can be promulgated; and
 - (c) make estimates of funding required to improve the public assistance system; and
- (4) requesting the Auditor to examine the current system for detection and reporting of welfare fraud, and make recommendations to the Legislature as to the appropriate agency or agencies to administer the system.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 368, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 368, H.D. 1.

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

SCRep. 1332 Human Services and Health on H.C.R. No. 360

The purpose of this concurrent resolution is to request the Auditor to conduct an audit of publicly-funded home care services for older adults in the State of Hawaii to include:

- (1) a comparison of the health and functional status of home care program clients with the health and functional status of residents of nursing facilities;
- (2) a comparison of public long-term care service costs and utilization patterns of older adults in home settings with the public long-term care service costs and utilization patterns of older adults in nursing facilities;
- (3) determining how home and community-based services affect family caregiver involvement and burden; and
- (4) determining the extent to which home care programs are accessible to the persons for whom the programs are intended.

Your Committee received testimony in support of this concurrent resolution from the Kokua Council for Senior Citizens. Testimony was also received from the Hawaii Association for Home Care supporting the intent of this measure, while the Department of Human Services pledged cooperation in the performance of the audit.

Your Committees find that with the increasing costs of health care, it is necessary to examine the services being delivered to review the effectiveness and appropriateness of such services. It is also noted that there is a lack of statistical information regarding homecare in Hawaii. To date, there has been no study that has collected all of the available data in one report.

Upon further consideration, your Committees have amended this concurrent resolution by including the Hawaii Association for Home Care in the list of agencies receiving a certified copy of this measure.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 360, as amended herein, and recommend that it be referred to the Committee on Legislative Management in the form attached hereto as H.C.R. No. 360, H.D. 1.

Signed by all members of the Committees except Representatives Ihara, Kawakami and Peters.

SCRep. 1333 Human Services and Intergovernmental Relations and International Affairs on H.C.R. No. 379

The purpose of this concurrent resolution is to require state and county government agencies to incorporate family impact statements as part of any policy and program recommendation to the Governor.

Testimony was received from the Department of Health, the Task Force on the Family, the Aloha Family Council, and the American Parents Association of Hawaii in favor of this measure, while the Office of Children and Youth submitted testimony in opposition to this measure.

It is noted that although the Office of Children and Youth testified against this measure, they recognize the intended effects of this resolution as being worthwhile. Your Committees find that deciding what is a positive or negative effect on a family can be extremely subjective in terms of interpretation. Thus, without clear definitions for such terms as "families", developing a family impact statement could be problematic. At present, the Governor's Family Policy Academy, with technical assistance from the Office of Children and Youth and other agencies, is examining public and private sector policies to strengthen families and promote cost effective service delivery systems.

Upon further consideration, your Committees have amended this measure by:

- (1) changing the title of the resolution to reflect the modified intent:

"Requesting the Governor's Family Policy Academy to report its findings and recommendations to the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994";
- (2) deleting the last three WHEREAS clauses, and inserting in its place the following:

"WHEREAS, programs and services can be designed to address the interrelatedness of factors impacting families and can empower families to build upon their assets in facing changes and maximizing opportunities; and communities and families should play and integral role in the planning and delivery of services; and

WHEREAS, the Governor's Family Policy Academy, with technical assistance from the Council of Governors' Policy Advisors in cooperation with the National Governors' Association, and whose membership includes high level representatives from state government including the Department of Human resources, Department of Health, Department of Education, Department of Labor and Industrial Relations, Department of Business, Economic Development and Tourism, the Governor's Office of Children and Youth, the Department of Budget and Finance, and the University of Hawaii and community leaders from the Hawaii Community Foundation, the Hawaii Community Services Council, Parents and Children Together and Aloha United Way is currently examining public and private sector policies to strengthen families and promote cost effective service delivery systems with the ability to produce improved outcomes for families";
- (3) deleting the BE IT RESOLVED clauses, and inserting in its place the following:

"BE IT RESOLVED by the House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1993, the Senate concurring, that the Governor's Family Policy Academy submit a report their findings and recommendations to the Legislature at least twenty-days prior to the convening of the Regular Session of 1994"; and
- (4) deleting the first BE IT FURTHER RESOLVED clause.

As affirmed by the records of votes of the members of your Committees on Human Services and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 379, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 379, H.D. 1.

Signed by all members of the Committees except Representatives Alcon, Hagino, Ihara, Peters and Santiago.

SCRep. 1334 Human Services and Education on H.C.R. No. 380

The purpose of this concurrent resolution is to request the Governor's Office of Children and Youth in consultation with the Hawaii Community Foundation and the Hawaii Business Roundtable, to undertake a study on the early childhood education and care finance implementation initiative.

Testimony from the Office of Children and Youth and the Hawaii Business Roundtable was received in support of this measure.

Your Committees find that national statistics reveal that considerable resources are saved in remediation costs when young children have the benefit of quality early childhood education and care programs. In spite of its critical impact on Hawaii's families and the economy, initial examination of the existing Early Childhood System reveals great fragmentation in the delivery of services, and lack of coordination among early childhood agencies and programs throughout the state. This lack of integration has created inconsistency in the quality of available services, and an inadequate supply of Early Education/Care services to meet the needs of all of Hawaii's families with children aged five years or less.

Upon further consideration, your Committees have amended this measure by:

- (1) inserting the following:

"WHEREAS, an advisory committee consisting of representatives of the Office of Children and Youth, the Hawaii Community Foundation, Castle and Cooke Properties, Inc., the Department of Human Services, Kamehameha Schools/Bishop Estates, Tax Foundation of Hawaii, Campbell Estates, University of Hawaii, Bank of Hawaii, American Trust, the Hawaii Association for the Education of Young Children, Department of Education, the Legislature, and the Office of the Governor has been working in partnership to address the issue of early childhood education"; and

- (2) making technical, non-substantive changes for the purposes of style and clarity.

As affirmed by the records of votes of the members of your Committees on Human Services and Education that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 380, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 380, H.D. 1.

Signed by all members of the Committees except Representatives Apo, Hagino, M. Ige, Ihara, Lee, Peters, Santiago and Shon.

SCRep. 1335 Human Services and Health on H.C.R. No. 373

The purpose of this concurrent resolution is to request the Department of Human Services, with assistance from the Kapiolani Medical Center for Women and Children, to guide the Task Force for Children who are Medically Fragile to continue to carry out the following tasks:

- (1) Work with the Departments of Human Services and Health to implement an integrated case management system for children with medically fragile conditions or who are technology-dependent, or both;
- (2) Evaluate means of eliminating or reducing the regulatory and funding barriers related to foster care;
- (3) Determine policies and standards regarding the use of professional, paraprofessional, and volunteer resources through careful consideration of certification, licensure, and other regulatory requirements; and
- (4) Coordinate activities to maximize reimbursement for care of children with medically conditions or who are technology-dependent, or both, through medicaid initiatives and waiver options.

Testimony from the Department of Human Services, the Department of Health, the State Planning Council on Developmental Disabilities, and the Hawaii Association for Home care was received in support of this measure, while the Department of Education and the Kapiolani Medical Center for Women and Children submitted testimony supporting the intent of this measure.

Your Committees find that Americans care for their children, whether they are healthy or ill, at home. Children with medically fragile conditions represent a challenge to this ideal. They and their families test the skills and services of the health care and social service communities. Any efforts to provide for the comprehensive social, health, and educational services for medically fragile children and their families should be pursued. Your Committees are in full support of this measure.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 373 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Ihara, Kawakami and Peters.

SCRep. 1336 Human Services and Health on H.R. No. 340

The purpose of this resolution is to request the Department of Human Services, with assistance from the Kapiolani Medical Center for Women and Children, to guide the Task Force for Children who are Medically Fragile to continue to carry out the following tasks:

- (1) Work with the Departments of Human Services and Health to implement an integrated case management system for children with medically fragile conditions or who are technology-dependent, or both;
- (2) Evaluate means of eliminating or reducing the regulatory and funding barriers related to foster care;

- (3) Determine policies and standards regarding the use of professional, paraprofessional, and volunteer resources through careful consideration of certification, licensure, and other regulatory requirements; and
- (4) Coordinate activities to maximize reimbursement for care of children with medically conditions or who are technology-dependent, or both, through medicaid initiatives and waiver options.

Testimony from the Department of Human Services, the Department of Health, the State Planning Council on Developmental Disabilities, and the Hawaii Association for Home care was received in support of this measure, while the Department of Education and the Kapiolani Medical Center for Women and Children submitted testimony supporting the intent of this measure.

Your Committees find that Americans care for their children, whether they are healthy or ill, at home. Children with medically fragile conditions represent a challenge to this ideal. They and their families test the skills and services of the health care and social service communities. Any efforts to provide for the comprehensive social, health, and educational services for medically fragile children and their families should be pursued. Your Committees are in full support of this measure.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 340 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Ihara, Kawakami and Peters.

SCRep. 1337 Energy and Environmental Protection and Intergovernmental Relations and International Affairs on H.R. No. 36

The purpose of this resolution is to clarify the laws pertaining to the use of political campaign signs in the City and County of Honolulu. This measure requests the City and County of Honolulu to enact regulations on the use of political campaign signs that will pass constitutional scrutiny.

In April, 1991, the United States District Court ruled against the City's existing ordinance that makes it unlawful to erect or maintain political campaign signs out-of-doors. The Court concluded that a flat-out ban on political campaign signs exceeded the ordinance's stated purpose of preserving the aesthetic beauty of the City and promoting traffic safety. It indicated that the ordinance places an unconstitutional restriction on the public's freedom of speech. To date, attempts to enact a new political campaign sign ordinance have failed to gain City Council approval.

In supporting this measure, The Outdoor Circle indicated its strong opposition to the indiscriminate posting of political campaign signs that occurred prior to 1965. An interested individual testified against this resolution based on constitutional concerns.

Your Committees have amended this resolution by:

- (1) Deleting the phrase "in response to a resolution adopted by the 1992 State Democratic Convention" from the BE IT RESOLVED clause; and
- (2) Re-wording the phrase "that will stand to constitutional challenge" to "that will withstand constitutional challenge" in the first BE IT FURTHER RESOLVED clause.

As affirmed by the records of votes of the members of your Committees on Energy and Environmental Protection and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 36, as amended herein, and recommend that it be referred to the Committee on Judiciary in the form attached hereto as H.R. No. 36, H.D. 1.

Signed by all members of the Committees except Representatives Hagino, Hirono, Shon, Takamine and Takumi.

SCRep. 1338 Energy and Environmental Protection and Intergovernmental Relations and International Affairs on H.C.R. No. 41

The purpose of this concurrent resolution is to clarify the laws pertaining to the use of political campaign signs in the City and County of Honolulu. This measure requests the City and County of Honolulu to enact regulations on the use of political campaign signs that will pass constitutional scrutiny.

In April, 1991, the United States District Court ruled against the City's existing ordinance that makes it unlawful to erect or maintain political campaign signs out-of-doors. The Court concluded that a flat-out ban on political campaign signs exceeded the ordinance's stated purpose of preserving the aesthetic beauty of the City and promoting traffic safety. It indicated that the ordinance places an unconstitutional restriction on the public's freedom of speech. To date, attempts to enact a new political campaign sign ordinance have failed to gain City Council approval.

In supporting this measure, The Outdoor Circle indicated its strong opposition to the indiscriminate posting of political campaign signs that occurred prior to 1965. An interested individual testified against this concurrent resolution based on constitutional concerns.

Your Committees have amended this concurrent resolution by:

- (1) Deleting the phrase "in response to a resolution adopted by the 1992 State Democratic Convention" from the BE IT RESOLVED clause; and
- (2) Re-wording the phrase "that will stand to constitutional challenge" to "that will withstand constitutional challenge" in the first BE IT FURTHER RESOLVED clause.

As affirmed by the records of votes of the members of your Committees on Energy and Environmental Protection and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 41, as amended herein, and recommend that it be referred to the Committee on Judiciary in the form attached hereto as H.C.R. No. 41, H.D. 1.

Signed by all members of the Committees except Representatives Hagino, Hirono, Shon, Takamine and Takumi.

SCRep. 1339 Energy and Environmental Protection on H.C.R. No. 177

This concurrent resolution directs the Department of Health (DOH) to locate and select an appropriate site within the State, for a bioremediation facility to treat petroleum contaminated soil.

Testimony in support of this concurrent resolution was provided by a State Representative, private bioremediation operators and several concerned individuals. The testifiers were unanimous in their concern over the escalating problem of petroleum contaminated soil. The concurrent resolution directs DOH to identify possible locations for a bioremediation facility that is amenable to the adjacent communities and does not threaten the water resources in the area. Several private bioremediation operators also testified that they are ready to operate such a facility, once a location has been selected and approved by the State.

Testimony against this concurrent resolution was submitted by DOH and the Ameron Corporation. The testifiers were concerned about the current lack of sufficient resources within DOH to carry out the study during the requested time period. Additionally, some testifiers questioned if the concurrent resolution would duplicate an effort currently being done by the Department of Business, Economic Development, and Tourism, for which \$100,000 was appropriated in 1992. Testifiers were also concerned that because this concurrent resolution may provide an unfair advantage of bioremediation over other existing technologies, the State should not support one technique over the other.

Your Committee agrees with the need to expedite the creation of a bioremediation site in the State, and that the clean up of petroleum contaminated soil should be done in Hawaii, and not shipped to other destinations. At the same time, your Committee would also like to ensure that all available technologies of soil remediation be examined equally, and that the State not select one technology over the other, until all studies are completed.

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 177 and recommends that it be referred to the Committee on Finance.

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

SCRep. 1340 Energy and Environmental Protection on H.R. No. 173

This resolution directs the Department of Health (DOH) to locate and select an appropriate site within the State, for a bioremediation facility to treat petroleum contaminated soil.

Testimony in support of this resolution was provided by a State Representative, private bioremediation operators and several concerned individuals. The testifiers were unanimous in their concern over the escalating problem of petroleum contaminated soil. The resolution directs DOH to identify possible locations for a bioremediation facility that is amenable to the adjacent communities and does not threaten the water resources in the area. Several private bioremediation operators also testified that they are ready to operate such a facility, once a location has been selected and approved by the State.

Testimony against this resolution was submitted by DOH and the Ameron Corporation. The testifiers were concerned about the current lack of sufficient resources within DOH to carry out the study during the requested time period. Additionally, some testifiers questioned if the resolution would duplicate an effort currently being done by the Department of Business, Economic Development, and Tourism, for which \$100,000 was appropriated in 1992. Testifiers were also concerned that because this resolution may provide an unfair advantage of bioremediation over other existing technologies, the State should not support one technique over the other.

Your Committee agrees with the need to expedite the creation of a bioremediation site in the State, and that the clean up of petroleum contaminated soil should be done in Hawaii, and not shipped to other destinations. At the same time, your Committee would also like to ensure that all available technologies of soil remediation be examined equally, and that the State not select one technology over the other, until all studies are completed.

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 173 and recommends that it be referred to the Committee on Finance.

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

SCRep. 1341 Energy and Environmental Protection; Ocean Recreation and Marine Resources; and Intergovernmental Relations and International Affairs on H.R. No. 366

This resolution calls for the Department of Land and Natural Resources(DLNR), the Department of Health (DOH), and the County of Maui to develop and implement a coordinated, joint plan of algae removal in the nearshore waters of Maui County.

Testimony in strong support of this resolution was submitted by: the DOH, the West Maui Taxpayers Association, and forty-three concerned citizens.

Testifiers emphasized the importance of scientific research and the immediate action needed to help alleviate the algae bloom problem on Maui. The unsanitary condition of algae washed on to the shoreline resulting in rotting algal vegetation, often releases a variety of gases and unpleasant odors including hydrogen sulfide, which is disturbing to residents and visitors. DOH voiced support of the current work between the County of Maui and the DLNR, to develop a plan to remove algae from the nearshore waters of Maui County. DOH also recommended that long-term solutions need to be considered, including wastewater management practices, proper zoning and land use controls, stormwater management, as well as erosion and runoff controls.

Your Committees are in full agreement with the need for a strong concerted effort to protect not only the beaches of Maui County, but all beaches throughout the State, from the pollution of decaying algae. Your Committees also recognize the importance of the Seaweed Bloom Task Force, that is composed of officials from the County of Maui, DOH and concerned citizens. The Task Force has investigated the algae problem, prepared reports, and recommended various actions and funding mechanisms be appropriated by the State and the U.S. Environmental Protection Agency. Your Committees also note the support of the Maui community in working together to address the algae problem, especially the work of Eve Clute.

As affirmed by the records of votes of the members of your Committees on Energy and Environmental Protection and Ocean Recreation and Marine Resources and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 366 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Alcon, Amaral, Beirne, Hagino, Hirono, Takamine and Takumi.

SCRep. 1342 Energy and Environmental Protection; Ocean Recreation and Marine Resources; and Intergovernmental Relations and International Affairs on H.C.R. No. 405

This concurrent resolution calls for the Department of Land and Natural Resources(DLNR), the Department of Health (DOH), and the County of Maui to develop and implement a coordinated, joint plan of algae removal in the nearshore waters of Maui County.

Testimony in strong support of this concurrent resolution was submitted by: the DOH, the West Maui Taxpayers Association, and forty-three concerned citizens.

Testifiers emphasized the importance of scientific research and the immediate action needed to help alleviate the algae bloom problem on Maui. The unsanitary condition of algae washed on to the shoreline resulting in rotting algal vegetation, often releases a variety of gases and unpleasant odors including hydrogen sulfide, which is disturbing to residents and visitors. DOH voiced support of the current work between the County of Maui and the DLNR, to develop a plan to remove algae from the nearshore waters of Maui County. DOH also recommended that long-term solutions need to be considered, including wastewater management practices, proper zoning and land use controls, stormwater management, as well as erosion and runoff controls.

Your Committees are in full agreement with the need for a strong concerted effort to protect not only the beaches of Maui County, but all beaches throughout the State, from the pollution of decaying algae. Your Committees also recognize the importance of the Seaweed Bloom Task Force, that is composed of officials from the County of Maui, DOH and concerned citizens. The Task Force has investigated the algae problem, prepared reports, and recommended various actions and funding mechanisms be appropriated by the State and the U.S. Environmental Protection Agency. Your Committees also note the support of the Maui community in working together to address the algae problem, especially the work of Eve Clute.

As affirmed by the records of votes of the members of your Committees on Energy and Environmental Protection and Ocean Recreation and Marine Resources and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 405 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Alcon, Amaral, Beirne, Hagino, Hirono, Takamine and Takumi.

SCRep. 1343 Economic Development and Business Concerns on H.C.R. No. 27

The purpose of this concurrent resolution is to urge the President of the United States, the Congress of the United States, the Secretary of Defense, the Secretary of the Navy, the Commander in Chief, Pacific, the elected officials of Kauai

County, and the Commanding Officer, Pacific Missile Range Facility (PMRF), to support the ongoing missions at and to maintain the PMRF.

Favorable testimony on this concurrent resolution was received from the State Department of Defense, the International Brotherhood of Electrical Workers, the Commanding Officer of the Pacific Missile Range Facility, and a retired naval officer.

Your Committee finds that the PMRF serves an important national purpose with a wide span of operations, including significant missile testing, firing, tracking, retrieving, and other telecommunications capabilities necessary for the continued preservation of our security.

Your Committee also finds that the PMRF is a substantial contributor to the economy of Kauai, employing over seven-hundred civilians, tenant employees, and Hawaii Air National Guard personnel.

Your Committee believes that the PMRF has been a good neighbor, a community participant, and a substantive employer. Ensuring the continued operation of the PMRF is in the best interests of the State.

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 27 and recommends that it be referred to the Committee on Judiciary.

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

SCRep. 1344 Economic Development and Business Concerns on H.C.R. No. 56

The purpose of this concurrent resolution is to request the deletion of the word "privilege", and the substitution of the word "purpose", in the General Excise Tax (GET) license issued by the Department of Taxation (DOTAX).

Your Committee notes that the text of the GET license in question, as stated in testimony by DOTAX, reads:

"LICENSE ISSUED FOR THE PRIVILEGE OF ENGAGING IN BUSINESS AND OTHER ACTIVITIES UPON THE CONDITION THAT THE LICENSEE SHALL PAY THE TAXES ACCRUING TO THE STATE OF HAWAII UNDER THE PROVISIONS OF CHAPTER 237, HRS, AS AMENDED. LICENSEE'S ACTIVITIES ARE LISTED ON THE APPLICATION ON FILE WITH THE DIRECTOR OF TAXATION."

In its testimony, the Chamber of Commerce of Hawaii indicated that the use of the word "privilege" in the GET license connotes "exclusivity", which may be perceived by some as being anti-small business. Substituting the word "purpose" for the word "privilege" would help to promote the interests of Hawaii's small businesses and to change the anti-small business perception that some parties have of the State.

Your Committee received testimony in support of the concurrent resolution from the Chamber of Commerce of Hawaii and the Hawaii Business League. Testimony in opposition to the bill and written comments were received from DOTAX.

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 56 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives M. Ige, Tam and Marumoto.

SCRep. 1345 Economic Development and Business Concerns on H.R. No. 135

The purposes of this resolution are to request:

- (1) Each state department to inform the Legislature on:
 - (a) The ways in which it has implemented the goals and objectives of the Hawaii State Plan in its functions, and the ways in which it has been unable to comply with the Hawaii State Plan; and
 - (b) Proposed procedures or programs that would allow the department to meet the goals of the Hawaii State Plan; and
- (2) The Governor to submit a progress report to the Legislature on the overall effectiveness of the implementation of the Hawaii State Plan to date, and any recommendations that would enable the State to comply more fully with the theme and goals of the Hawaii State Plan.

The Office of State Planning (OSP) testified in support of the intent of the resolution because it would allow a review of the progress made by each state department in achieving plan objectives and an overall review of the plan implementation process by the Office of the Governor. The resolution would also allow an assessment of the progress made in transferring the responsibility to develop functional plan guidelines to the Department of Budget and Finance (B&F).

In its testimony, OSP indicated that it anticipates additional resources will be required of the various departments responding to this measure, and questioned whether the resources are available.

In light of the foregoing funding concerns raised by OSP, your Committee requests that the resolution be comprehensive in scope to include all functional plans in the progress report contained in the measure. However, if budgetary constraints preclude some plans from being included in the study, your Committee requests B&F to determine five functional plans for assessment in the progress report.

Upon careful consideration, your Committee has amended this resolution by:

- (1) Including references to the State Functional Plans in the text of the resolution and in the report;
- (2) Requesting B&F, with the assistance of OSP, to submit a report to the Legislature on the:
 - (a) Progress made by the state departments in achieving the goals and objectives of their State Functional Plans; and
 - (b) Effectiveness of the implementation process of the State Functional Plans in the decision-making, policies, and actions of the state departments to meet the goals and objectives of their State Functional Plans;
- (3) Stating that in the report, B&F, with the active assistance from OSP, submit a report of their findings, conclusions, and recommendations to the Legislature no later than twenty days before the convening of the 1994 Regular Session;
- (4) Requesting that certified copies of the resolution be transmitted to the Governor, and the directors of B&F and OSP; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 135, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 135, H.D. 1.

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

SCRep. 1346 Economic Development and Business Concerns on H.C.R. No. 141

The purposes of this concurrent resolution are to request:

- (1) Each state department to inform the Legislature on:
 - (a) The ways in which it has implemented the goals and objectives of the Hawaii State Plan in its functions, and the ways in which it has been unable to comply with the Hawaii State Plan; and
 - (b) Proposed procedures or programs that would allow the department to meet the goals of the Hawaii State Plan; and
- (2) The Governor to submit a progress report to the Legislature on the overall effectiveness of the implementation of the Hawaii State Plan to date, and any recommendations that would enable the State to comply more fully with the theme and goals of the Hawaii State Plan.

The Office of State Planning (OSP) testified in support of the intent of the concurrent resolution because it would allow a review of the progress made by each state department in achieving plan objectives and an overall review of the plan implementation process by the Office of the Governor. The concurrent resolution would also allow an assessment of the progress made in transferring the responsibility to develop functional plan guidelines to the Department of Budget and Finance (B&F).

In its testimony, OSP indicated that it anticipates additional resources will be required of the various departments responding to this measure, and questioned whether the resources are available.

In light of the foregoing funding concerns raised by OSP, your Committee requests that the concurrent resolution be comprehensive in scope to include all functional plans in the progress report contained in the measure. However, if budgetary constraints preclude some plans from being included in the study, your Committee requests B&F to determine five functional plans for assessment in the progress report.

Upon careful consideration, your Committee has amended this concurrent resolution by:

- (1) Including references to the State Functional Plans in the text of the concurrent resolution and in the report;
- (2) Requesting B&F, with the assistance of OSP, to submit a report to the Legislature on the:
 - (a) Progress made by the state departments in achieving the goals and objectives of their State Functional Plans; and
 - (b) Effectiveness of the implementation process of the State Functional Plans in the decision-making, policies, and actions of the state departments to meet the goals and objectives of their State Functional Plans;

- (3) Stating that in the report, B&F, with the active assistance from OSP, submit a report of their findings, conclusions, and recommendations to the Legislature no later than twenty days before the convening of the 1994 Regular Session;
- (4) Requesting that certified copies of the concurrent resolution be transmitted to the Governor, and the directors of B&F and OSP; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 141, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 141, H.D. 1.

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

SCRep. 1347 Economic Development and Business Concerns and Intergovernmental Relations and International Affairs on H.C.R. No. 281

The purposes of this concurrent resolution are to:

- (1) State the Legislature's support of the establishment of a pre-commercial bioproducts demonstration center as a cooperative partnership among federal, state, county, and private industry;
- (2) Urge the Pacific International Center for High Technology Research (PICHTR) to provide planning funds to explore the feasibility of establishing a pre-commercial bioproducts demonstration center in the Hamakua-Hilo region; and
- (3) Request PICHTR to report its recommendations, including a strategic plan for the establishment of the federal/state/county/industry partnership, to the Legislature twenty days before the convening of the Regular Session of 1994.

Your Committees recognize that the apparent closure of Hamakua Sugar Co. on March 31, 1993, and the impending closure of Hilo Coast Processing Company in 1994 will require continued effort and coordination among the public and private sectors to preserve some of the existing jobs, to create new work and business opportunities, and to propose effective and viable solutions to the employment concerns of the Hamakua Coast region.

Testimony in support of this measure was received from the Department of Agriculture (DOA); the Chairperson and the members of the Hawaii County Council; the University of Hawaii (UH) Hawaii Natural Energy Institute; the UH School of Ocean and Earth Science and Technology; and PICHTR. The Department of Business, Economic Development, and Tourism concurred with the intent of the concurrent resolution.

According to DOA's testimony, PICHTR has already received some federal funds in support of the project to establish a pre-commercial bioproducts demonstration center.

Upon further consideration, your Committees have amended this concurrent resolution by:

- (1) Requesting in the second BE IT RESOLVED clause that PICHTR is urged to seek (rather than provide) planning funds to explore the feasibility of establishing a pre-commercial bioproducts demonstration center in the Hamakua-Hilo region;
- (2) Updating the first WHEREAS clause to make it consistent with recent events concerning the apparent closure of Hamakua Sugar Co. on March 31, 1993;
- (3) Requesting that a certified copy of this concurrent resolution be transmitted to the Chairperson of the Board of Agriculture; and
- (4) Making technical, nonsubstantive amendments for clarity.

As affirmed by the records of votes of the members of your Committees on Economic Development and Business Concerns and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 281, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 281, H.D. 1.

Signed by all members of the Committees except Representatives Hagino, M. Ige, Nakasone and Shon.

SCRep. 1348 Economic Development and Business Concerns and Intergovernmental Relations and International Affairs on H.R. No. 278

The purposes of this resolution are to:

- (1) State the Legislature's support of the establishment of a pre-commercial bioproducts demonstration center as a cooperative partnership among federal, state, county, and private industry;

- (2) Urge the Pacific International Center for High Technology Research (PICHTR) to provide planning funds to explore the feasibility of establishing a pre-commercial bioproducts demonstration center in the Hamakua-Hilo region; and
- (3) Request PICHTR to report its recommendations, including a strategic plan for the establishment of the federal/state/county/industry partnership, to the Legislature twenty days before the convening of the Regular Session of 1994.

Your Committees recognize that the apparent closure of Hamakua Sugar Co. on March 31, 1993, and the impending closure of Hilo Coast Processing Company in 1994 will require continued effort and coordination among the public and private sectors to preserve some of the existing jobs, to create new work and business opportunities, and to propose effective and viable solutions to the employment concerns of the Hamakua Coast region.

Testimony in support of this measure was received from the Department of Agriculture (DOA); the Chairperson and the members of the Hawaii County Council; the University of Hawaii (UH) Hawaii Natural Energy Institute; the UH School of Ocean and Earth Science and Technology; and PICHTR. The Department of Business, Economic Development, and Tourism concurred with the intent of the resolution.

According to DOA's testimony, PICHTR has already received some federal funds in support of the project to establish a pre-commercial bioproducts demonstration center.

Upon further consideration, your Committees have amended this resolution by:

- (1) Requesting in the second BE IT RESOLVED clause that PICHTR is urged to seek (rather than provide) planning funds to explore the feasibility of establishing a pre-commercial bioproducts demonstration center in the Hamakua-Hilo region;
- (2) Updating the first WHEREAS clause to make it consistent with recent events concerning the apparent closure of Hamakua Sugar Co. on March 31, 1993;
- (3) Requesting that a certified copy of this resolution be transmitted to the Chairperson of the Board of Agriculture; and
- (4) Making technical, nonsubstantive amendments for clarity.

As affirmed by the records of votes of the members of your Committees on Economic Development and Business Concerns and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 278, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 278, H.D. 1.

Signed by all members of the Committees except Representatives Hagino, M. Ige, Nakasone and Shon.

SCRep. 1349 Economic Development and Business Concerns and Intergovernmental Relations and International Affairs on H.R. No. 302

The purpose of this resolution is to convene a task force to study the major problems facing commercial land lessees.

The Department of Business, Economic Development, and Tourism, the American Arbitration Association, and a private planning consultant offered comments on this resolution.

Legislative Information Services of Hawaii, Inc., Small Business Hawaii, the Industrial Business Association, and private citizens testified in support of this resolution.

A private citizen testified in opposition to this resolution.

Your Committees find that high commercial rent is a major contributor to the cost of doing business in Hawaii. Further, your Committees find that some of the factors that businesses consider when deciding whether to continue to lease a particular parcel of realty are its existing use and its potential use over the remaining life of the lease. Also, your Committees find that businesses in Hawaii are concerned that commercial lease rents being offered exceed the value of the leased land to the businesses located there.

Therefore, your Committees have amended this resolution by:

- (1) Requesting the task force to focus on the following additional concerns:
 - (a) Whether businesses are folding due, in part, to high lease rents;
 - (b) Whether there is a sufficient amount of land classified urban and whether an increased supply of land would assist in keeping the cost of land from increasing;
 - (c) Whether the counties should be encouraged to rezone more urban land to business and industrial use; and

- (d) Whether State and county government can provide land for development of business and industrial parks.
- (2) Requesting the task force to work with the Honolulu City Council to discuss the possibility of overhauling property value assessment methods; and
- (3) Making technical, nonsubstantive amendments to this resolution for purposes of style and clarity.

Your Committees note that the Speaker of the House of Representatives and the President of the Senate are requested to establish and convene this task force. Your Committees have not resolved the question of who will provide staff support to this task force.

Your Committees also encourage the task force to consult with other interested parties who have offered their assistance such as the American Arbitration Association.

As affirmed by the records of votes of the members of your Committees on Economic Development and Business Concerns and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 302, as amended herein, and recommend that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 302, H.D. 1.

Signed by all members of the Committees except Representatives Hagino, M. Ige, Nakasone and Shon.
(Representative Alcon voted no.)

SCRep. 1350 Economic Development and Business Concerns and Intergovernmental Relations and International Affairs on H.C.R. No. 312

The purpose of this concurrent resolution is to convene a task force to study the major problems facing commercial land lessees.

The Department of Business, Economic Development, and Tourism, the American Arbitration Association, and a private planning consultant offered comments on this concurrent resolution.

Legislative Information Services of Hawaii, Inc., Small Business Hawaii, the Industrial Business Association, and private citizens testified in support of this concurrent resolution.

A private citizen testified in opposition to this concurrent resolution.

Your Committees find that high commercial rent is a major contributor to the cost of doing business in Hawaii. Further, your Committees find that some of the factors that businesses consider when deciding whether to continue to lease a particular parcel of realty are its existing use and its potential use over the remaining life of the lease. Also, your Committees find that businesses in Hawaii are concerned that commercial lease rents being offered exceed the value of the leased land to the businesses located there.

Therefore, your Committees have amended this concurrent resolution by:

- (1) Requesting the task force to focus on the following additional concerns:
 - (a) Whether businesses are folding due, in part, to high lease rents;
 - (b) Whether there is a sufficient amount of land classified urban and whether an increased supply of land would assist in keeping the cost of land from increasing;
 - (c) Whether the counties should be encouraged to rezone more urban land to business and industrial use; and
 - (d) Whether State and county government can provide land for development of business and industrial parks;
- (2) Requesting the task force to work with the Honolulu City Council to discuss the possibility of overhauling property value assessment methods; and
- (3) Making technical, nonsubstantive amendments to this concurrent resolution for purposes of style and clarity.

Your Committees note that the Speaker of the House of Representatives and the President of the Senate are requested to establish and convene this task force. Your Committees have not resolved the question of who will provide staff support to this task force.

Your Committees also encourage the task force to consult with other interested parties who have offered their assistance such as the American Arbitration Association.

As affirmed by the records of votes of the members of your Committees on Economic Development and Business Concerns and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 312, as amended herein, and recommend that it be referred to the Committee on Legislative Management in the form attached hereto as H.C.R. No. 312, H.D. 1.

Signed by all members of the Committees except Representatives Hagino, M. Ige, Nakasone and Shon.
(Representative Alcon voted no.)

SCRep. 1351 Economic Development and Business Concerns on H.C.R. No. 308

The purpose of this concurrent resolution is to request the Director of Taxation to study the feasibility of creating an exemption from the General Excise Tax Law for all out-of-state sales of goods and services, and to report the findings and recommendations to the Legislature.

The Hawaii State Council of the American Institute of Architects testified in support of this concurrent resolution.

The Department of Taxation (Department) testified in opposition to this concurrent resolution, noting that the Department believes that current exemptions from general excise tax are sufficient.

Your Committee finds that the general excise tax puts Hawaii businesses at a competitive disadvantage because they must pass on the general excise tax to their customers while out-of-state competitors do not. Further, your Committee finds that concern in this area is concentrated among service providers.

Accordingly, your Committee has amended this concurrent resolution by:

- (1) Requesting the Department to study and report on alternative ways of providing exemptions from the General Excise Tax Law for all services rendered out-of-state;
- (2) Limiting the scope of this study to services only; and
- (3) Directing the Department to seek the assistance of the Department of Business, Economic Development, and Tourism.

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

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 308, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 308, H.D. 1.

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

SCRep. 1352 Economic Development and Business Concerns on H.R. No. 298

The purpose of this resolution is to request the Director of Taxation to study the feasibility of creating an exemption from the General Excise Tax Law for all out-of-state sales of goods and services, and to report the findings and recommendations to the Legislature.

The Hawaii State Council of the American Institute of Architects testified in support of this resolution.

The Department of Taxation (Department) testified in opposition to this resolution, noting that the Department believes that current exemptions from general excise tax are sufficient.

Your Committee finds that the general excise tax puts Hawaii businesses at a competitive disadvantage because they must pass on the general excise tax to their customers while out-of-state competitors do not. Further, your Committee finds that concern in this area is concentrated among service providers.

Accordingly, your Committee has amended this resolution by:

- (1) Amending the title to request the Director of Taxation to study and report on alternative ways of providing exemptions from the General Excise Tax Law for all services rendered out-of-state;
- (2) Limiting the scope of this study to services only; and
- (3) Directing the Department to seek the assistance of the Department of Business, Economic Development, and Tourism.

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

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 298, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 298, H.D. 1.

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

SCRep. 1353 Economic Development and Business Concerns on H.R. No. 318

The purpose of this resolution, as received by your Committee, is to request the Director of the Department of Business, Economic Development, and Tourism (DBEDT) to develop a plan for electronic access and distribution of its data and information through the State's information network.

Your Committee noted in testimony presented by DBEDT and Hawaii INC that DBEDT collects and disseminates information through various means, including an electronic bulletin board service (BBS), which is accessible through Hawaii FYI and the State's information network. Since 1987, DBEDT has also been providing the public with electronic access to the BBS.

According to DBEDT testimony, the following information is currently available through the BBS:

- (1) The State of Hawaii Data Book and Statistical reports generated by DBEDT's Research and Economic Analysis Division;
- (2) Government requirements for selected businesses maintained by DBEDT's Business Action Center;
- (3) Census data and news releases from DBEDT's Hawaii State Data Center;
- (4) Contracting opportunities from the federal, state, and local governments maintained by DBEDT's Business Services Division; and
- (5) Hearing notices, agendas, a boundary amendment log, findings of fact, conclusions of law, and decisions and orders maintained by the Land Use Commission.

DBEDT and the Hawaii Information Network Corporation (Hawaii INC) testified in support of the original version of H.R. No. 318.

However, your Committee noted that in testimony submitted by DBEDT its Information Resources Management Division is working to update DBEDT's Distributed Information Processing and Information Resource Management Plan, which will include a review of electronic access and distribution of data through the BBS, the publication of CD-ROMs, and multi-media technology.

Your Committee also notes that coordination among the private and public information service providers and users to a single distribution point for information and information-related services is essential to eliminate duplication of valuable resources.

Upon further consideration, your Committee has amended this resolution by deleting its substance and inserting new material, the purpose of which is to request the Director of Budget and Finance to submit a report on the progress made to implement the State's information network established by Act 1, Session Laws of Hawaii 1988, Special Session, and a detailed description of what steps need to be taken for full implementation of the network; and to include:

- (1) The current electronic access and distribution of data and information through the State's information network;
- (2) A listing of the data and information currently accessible electronically;
- (3) A listing of the various state departments that currently utilize the state information network; and
- (4) An assessment of the coordination between public and private information service providers to the state information network.

Accordingly, your Committee has also amended this resolution by:

- (1) Changing the title of the above-mentioned resolution: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DEVELOP A PLAN FOR ELECTRONIC ACCESS AND DISTRIBUTION OF THEIR DATA AND INFORMATION THROUGH THE STATE INFORMATION NETWORK" to read as follows: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUDGET AND FINANCE TO REPORT ON THE PROGRESS MADE ON THE IMPLEMENTATION OF THE STATE'S INFORMATION NETWORK, THE HAWAII INFORMATION NETWORK CORPORATION (HAWAII INC), BY ACT 1, SESSION LAWS OF HAWAII 1988, SPECIAL SESSION AND A DETAILED DESCRIPTION OF WHAT STEPS NEED TO BE TAKEN FOR FULL IMPLEMENTATION OF THE NETWORK"; and
- (2) Requesting the Director of Budget and Finance to submit a report of the findings and actions to the Legislature no later than twenty days prior to the convening of the Regular Session of 1994.

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 318, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 318, H.D. 1.

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

SCRep. 1354 Economic Development and Business Concerns on H.C.R. No. 336

The purpose of this concurrent resolution, as received by your Committee, is to request the Director of the Department of Business, Economic Development, and Tourism (DBEDT) to develop a plan for electronic access and distribution of its data and information through the State's information network.

Your Committee noted in testimony presented by DBEDT and Hawaii INC that DBEDT collects and disseminates information through various means, including an electronic bulletin board service (BBS), which is accessible through Hawaii FYI and the State's information network. Since 1987, DBEDT has also been providing the public with electronic access to the BBS.

According to DBEDT testimony, the following information is currently available through the BBS:

- (1) The State of Hawaii Data Book and Statistical reports generated by DBEDT's Research and Economic Analysis Division;
- (2) Government requirements for selected businesses maintained by DBEDT's Business Action Center;
- (3) Census data and news releases from DBEDT's Hawaii State Data Center;
- (4) Contracting opportunities from the federal, state, and local governments maintained by DBEDT's Business Services Division; and
- (5) Hearing notices, agendas, a boundary amendment log, findings of fact, conclusions of law, and decisions and orders maintained by the Land Use Commission.

The DBEDT and the Hawaii Information Network Corporation (Hawaii INC) testified in support of the original version of H.C.R. No. 336.

However, your Committee noted that in testimony submitted by DBEDT its Information Resources Management Division is working to update DBEDT's Distributed Information Processing and Information Resource Management Plan, which will include a review of electronic access and distribution of data through the BBS, the publication of CD-ROMs, and multi-media technology.

Your Committee also notes that coordination among the private and public information service providers and users to a single distribution point for information and information-related services is essential to eliminate duplication of valuable resources.

Upon further consideration, your Committee has amended this concurrent resolution by deleting its substance and inserting new material, the purpose of which is to request the Director of Budget and Finance to submit a report on the progress made to implement the State's information network established by Act 1, Session Laws of Hawaii 1988, Special Session, and a detailed description of what steps need to be taken for full implementation of the network; and to include:

- (1) The current electronic access and distribution of data and information through the State's information network;
- (2) A listing of the data and information currently accessible electronically;
- (3) A listing of the various state departments that currently utilize the state information network; and
- (4) An assessment of the coordination between public and private information service providers to the state information network.

Accordingly, your Committee has also amended this concurrent resolution by:

- (1) Changing the title of the above-mentioned concurrent resolution: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DEVELOP A PLAN FOR ELECTRONIC ACCESS AND DISTRIBUTION OF THEIR DATA AND INFORMATION THROUGH THE STATE INFORMATION NETWORK" to read as follows: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUDGET AND FINANCE TO REPORT ON THE PROGRESS MADE ON THE IMPLEMENTATION OF THE STATE'S INFORMATION NETWORK, THE HAWAII INFORMATION NETWORK CORPORATION (HAWAII INC), BY ACT 1, SESSION LAWS OF HAWAII 1988, SPECIAL SESSION AND A DETAILED DESCRIPTION OF WHAT STEPS NEED TO BE TAKEN FOR FULL IMPLEMENTATION OF THE NETWORK"; and
- (2) Requesting the Director of Budget and Finance to submit a report of the findings and actions to the Legislature no later than twenty days prior to the convening of the Regular Session of 1994.

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 336, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 336, H.D. 1.

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

SCRep. 1355 Economic Development and Business Concerns on H.C.R. No. 263

The purpose of this concurrent resolution is to request the President and Congress of the United States to reinterpret Section 226 of the Compact of Free Association (Compact) to permit the United States Agency for International Development to provide the Federated States of Micronesia and the Republic of the Marshall Islands with technical assistance and economic development programs.

Favorable testimony on this concurrent resolution was submitted by the Office of International Relations and the Republic of the Marshall Islands.

Your Committee finds that under the Compact the United States is dedicated to assisting former trustee territories in their efforts toward economic development and self-sufficiency. While the Compact allows the Federated States of Micronesia and the Republic of the Marshall Islands access to the services of various United States domestic agencies, they are urgently in need of the specialized technical expertise and assistance that is available through the United States Agency for International Development.

Your Committee believes that it is highly appropriate for Hawaii to lend its support to those Pacific Island nations freely associated with the United States.

Accordingly, your Committee has amended this concurrent resolution to urge Hawaii's congressional delegation to also support any legislation which seeks to reinterpret Section 226 of the Compact to permit the United States Agency for International Development to provide the Federated States of Micronesia and the Republic of the Marshall Islands with technical assistance and economic development programs.

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

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 263, as amended herein, and recommends that it be referred to the Committee on Intergovernmental Relations and International Affairs in the form attached hereto as H.C.R. No. 263, H.D. 1.

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

SCRep. 1356 Economic Development and Business Concerns on H.R. No. 259

The purpose of this resolution is to request the President and Congress of the United States to reinterpret Section 226 of the Compact of Free Association (Compact) to permit the United States Agency for International Development to provide the Federated States of Micronesia and the Republic of the Marshall Islands with technical assistance and economic development programs.

Favorable testimony on this resolution was submitted by the Office of International Relations and the Republic of the Marshall Islands.

Your Committee finds that under the Compact the United States is dedicated to assisting former trustee territories in their efforts toward economic development and self-sufficiency. While the Compact allows the Federated States of Micronesia and the Republic of the Marshall Islands access to the services of various United States domestic agencies, they are urgently in need of the specialized technical expertise and assistance that is available through the United States Agency for International Development.

Your Committee believes that it is highly appropriate for Hawaii to lend its support to those Pacific Island nations freely associated with the United States.

Accordingly, your Committee has amended this resolution to urge Hawaii's congressional delegation to also support any legislation which seeks to reinterpret Section 226 of the Compact to permit the United States Agency for International Development to provide the Federated States of Micronesia and the Republic of the Marshall Islands with technical assistance and economic development programs.

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

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 259, as amended herein, and recommends that it be referred to the Committee on Intergovernmental Relations and International Affairs in the form attached hereto as H.R. No. 259, H.D. 1.

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

SCRep. 1357 Economic Development and Business Concerns and Consumer Protection and Commerce on H.C.R. No. 427

The purpose of this concurrent resolution is to urge the State Public Utilities Commission (PUC) to take necessary steps as expeditiously as possible to bring to Hawaii statewide competition in telecommunications services using the procedures and policies promulgated by the New York (N.Y.) State Public Service Commission.

This concurrent resolution also specifies that the steps are to include:

- (1) The formulation and adoption of a policy of telecommunications modernization;
- (2) Common carrier rules;
- (3) Open network architecture; and
- (4) Other orders as have been undertaken by the N.Y. State Public Service Commission.

It is the understanding of your Committees that the PUC intends to open an investigation of the State's telecommunications infrastructure, which shall address issues concerning, among other things:

- (1) Existing services, emerging services, and services perceived but not yet developed relating to telecommunications;
- (2) Appropriate telecommunications policies and objectives;
- (3) The telecommunications infrastructure that would be required to support current and future services;
- (4) The resources required for a telecommunications infrastructure; and
- (5) The regulatory structure and the extent of regulation that is required for the various services.

The PUC also will include specific concerns about the feasibility and potential impact of establishing telecommunications free trade zones and the deregulation issue. The PUC's findings and recommendations will be contained in the final decision and order issued in the proceeding, a copy of which will be submitted to the Legislature.

The PUC testified in support of the intent of this measure. Your Committee also received testimony in support of the concurrent resolution from the Department of Business, Economic Development, and Tourism (DBEDT), and the High Technology Development Corporation.

GTE Hawaiian Telephone Company Incorporated (Hawaiian Tel) testified in opposition to this concurrent resolution, as it mandates competition and mandates the PUC to use the N.Y. Public Service Commission's method, which may be suited for New York, but not necessarily suited for Hawaii. Instead, Hawaiian Tel recommends amending the measure to request the PUC to study the feasibility and potential impact of introducing additional telecommunications competition in the local network and to ensure that it is in the interest of the general public.

Upon further consideration, your Committees have amended this concurrent resolution by:

- (1) Urging the PUC to consider (rather than to use) the procedures and policies of the N.Y. State Public Service Commission to bring to Hawaii statewide competition in telecommunications services;
- (2) Deleting language that specifies that the steps are to include orders that have been undertaken by the N.Y. State Public Service Commission;
- (3) Urges the PUC, with the cooperation of DBEDT, to consider the feasibility of (rather than to give highest priority to) creating competition in telecommunications services in specific areas, among them being: in the new city of Kapolei, in the Maui Research and Technology Park, and in areas to be designated as the University of Hawaii at Hilo Research and Technology Park, and Kauai Research and Technology Park;
- (4) Requests DBEDT to augment the report with pertinent data and language to promote competition and foster business opportunities in the State in the area of telecommunications services; and
- (5) Requests that a copy of the concurrent resolution also be transmitted to the Director of Business, Economic Development, and Tourism.

As affirmed by the records of votes of the members of your Committees on Economic Development and Business Concerns and Consumer Protection and Commerce that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 427, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 427, H.D. 1.

Signed by all members of the Committees except Representatives Amaral, Herkes, Hirono, D. Ige, M. Ige, Takamine, Tam and Tom.

SCRep. 1358 Economic Development and Business Concerns and Consumer Protection and Commerce on H.R. No. 387

The purpose of this resolution is to urge the State Public Utilities Commission (PUC) to take necessary steps as expeditiously as possible to bring to Hawaii statewide competition in telecommunications services using the procedures and policies promulgated by the New York (N.Y.) State Public Service Commission.

This resolution also specifies that the steps are to include:

- (1) The formulation and adoption of a policy of telecommunications modernization;
- (2) Common carrier rules;
- (3) Open network architecture; and
- (4) Other orders as have been undertaken by the N.Y. State Public Service Commission.

It is the understanding of your Committees that the PUC intends to open an investigation of the State's telecommunications infrastructure, which shall address issues concerning, among other things:

- (1) Existing services, emerging services, and services perceived but not yet developed relating to telecommunications;
- (2) Appropriate telecommunications policies and objectives;
- (3) The telecommunications infrastructure that would be required to support current and future services;
- (4) The resources required for a telecommunications infrastructure; and
- (5) The regulatory structure and the extent of regulation that is required for the various services.

The PUC also will include specific concerns about the feasibility and potential impact of establishing telecommunications free trade zones and the deregulation issue. The PUC's findings and recommendations will be contained in the final decision and order issued in the proceeding, a copy of which will be submitted to the Legislature.

The PUC testified in support of the intent of this measure. Your Committee also received testimony in support of the resolution from the Department of Business, Economic Development, and Tourism (DBEDT), and the High Technology Development Corporation.

GTE Hawaiian Telephone Company Incorporated (Hawaiian Tel) testified in opposition to this resolution, as it mandates competition and mandates the PUC to use the N.Y. Public Service Commission's method, which may be suited for New York, but not necessarily suited for Hawaii. Instead, Hawaiian Tel recommends amending the measure to request the PUC to study the feasibility and potential impact of introducing additional telecommunications competition in the local network and to ensure that it is in the interest of the general public.

Upon further consideration, your Committees have amended this resolution by:

- (1) Urging the PUC to consider (rather than to use) the procedures and policies of the N.Y. State Public Service Commission to bring to Hawaii statewide competition in telecommunications services;
- (2) Deleting language that specifies that the steps are to include orders that have been undertaken by the N.Y. State Public Service Commission;
- (3) Urges the PUC, with the cooperation of DBEDT, to consider the feasibility of (rather than to give highest priority to) creating competition in telecommunications services in specific areas, among them being: in the new city of Kapolei, in the Maui Research and Technology Park, and in areas to be designated as the University of Hawaii at Hilo Research and Technology Park, and Kauai Research and Technology Park;
- (4) Requests DBEDT to augment the report with pertinent data and language to promote competition and foster business opportunities in the State in the area of telecommunications services; and
- (5) Requests that a copy of the resolution also be transmitted to the Director of Business, Economic Development, and Tourism.

As affirmed by the records of votes of the members of your Committees on Economic Development and Business Concerns and Consumer Protection and Commerce that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 387, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 387, H.D. 1.

Signed by all members of the Committees except Representatives Amaral, Herkes, Hirono, D. Ige, M. Ige, Takamine, Tam and Tom.

SCRep. 1359 Economic Development and Business Concerns and Intergovernmental Relations and International Affairs on H.R. No. 272

The purpose of this resolution is to request the Governor to appoint an economic conversion task force to create contingency plans which may be used to manage the shift from defense-related to civilian economic activity.

The Department of Business, Economic Development, and Tourism testified in support of this resolution, noting that they have compiled much of the information sought in the resolution.

Gary Gill of the Honolulu City Council, the Community Council of the Spark M. Matsunaga Institute for Peace, the League of Women Voters of Hawaii, the Pacific Rim Foundation, former Lieutenant Governor Jean King, other members

of the Spark M. Matsunaga Institute for Peace, and a private citizen testified in support of this resolution. These organizations and individuals offered amendments.

The Hawai'i Green Party testified that it could not support this resolution as written and offered amendments.

The Military Affairs Council of the Chamber of Commerce of Hawaii testified in opposition to this resolution.

Your Committees find that such an economic conversion task force already exists but should be institutionalized to ensure cooperations from all concerned parties. Your Committees also find that planning must begin before further military downsizing occurs.

Your Committees believe that forming an economic conversion task force charged with the duty of recommending the terms and conditions of a plan for economic conversion will help the State create a feasible contingency plan.

Your Committees have amended this resolution by:

- (1) Replacing the Mayor of the City and County of Honolulu with a representative from the Hawaii State Association of Counties;
- (2) Increasing the task force's membership of private individuals from six to nine;
- (3) Requiring the task force to form sub-task forces for topic and site specific issues;
- (4) Requiring the task force to collect information and monitor what is being done in other jurisdictions;
- (5) Requiring the task force to prepare an interim report on its progress to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Session of 1994; and
- (6) Requiring the task force to prepare a final report no later than eighteen months from the date of its first meeting.

Your Committees have also made technical, nonsubstantive amendments to this resolution for purposes of style and clarity.

It is the intent of your Committees that the economic conversion task force continue to consult with interested or affected parties throughout its existence.

As affirmed by the records of votes of the members of your Committees on Economic Development and Business Concerns and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 272, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 272, H.D. 1.

Signed by all members of the Committees except Representatives Cachola, Hagino, M. Ige and Nakasone.
(Representative Ward voted no.)

SCRep. 1360 Economic Development and Business Concerns and Intergovernmental Relations and International Affairs on H.C.R. No. 274

The purpose of this concurrent resolution is to request the Governor to appoint an economic conversion task force to create contingency plans which may be used to manage the shift from defense-related to civilian economic activity.

The Department of Business, Economic Development, and Tourism testified in support of this concurrent resolution, noting that they have compiled much of the information sought in the concurrent resolution.

Gary Gill of the Honolulu City Council, the Community Council of the Spark M. Matsunaga Institute for Peace, the League of Women Voters of Hawaii, the Pacific Rim Foundation, former Lieutenant Governor Jean King, other members of the Spark M. Matsunaga Institute for Peace, and a private citizen testified in support of this concurrent resolution. These organizations and individuals offered amendments.

The Hawai'i Green Party testified that it could not support this concurrent resolution as written and offered amendments.

The Military Affairs Council of the Chamber of Commerce of Hawaii testified in opposition to this concurrent resolution.

Your Committees find that such an economic conversion task force already exists but should be institutionalized to ensure cooperations from all concerned parties. Your Committees also find that planning must begin before further military downsizing occurs.

Your Committees believe that forming an economic conversion task force charged with the duty of recommending the terms and conditions of a plan for economic conversion will help the State create a feasible contingency plan.

Your Committees have amended this concurrent resolution by:

- (1) Replacing the Mayor of the City and County of Honolulu with a representative from the Hawaii State Association of Counties;
- (2) Increasing the task force's membership of private individuals from six to nine;
- (3) Requiring the task force to form sub-task forces for topic and site specific issues;
- (4) Requiring the task force to collect information and monitor what is being done in other jurisdictions;
- (5) Requiring the task force to prepare an interim report on its progress to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Session of 1994; and
- (6) Requiring the task force to prepare a final report no later than eighteen months from the date of its first meeting.

Your Committees have also made technical, nonsubstantive amendments to this concurrent resolution for purposes of style and clarity.

It is the intent of your Committees that the economic conversion task force continue to consult with interested or affected parties throughout its existence.

As affirmed by the records of votes of the members of your Committees on Economic Development and Business Concerns and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 274, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 274, H.D. 1.

Signed by all members of the Committees except Representatives Cachola, Hagino, M. Ige and Nakasone.
(Representative Ward voted no.)

SCRep. 1361 Economic Development and Business Concerns and Consumer Protection and Commerce on H.C.R. No. 480

The purpose of this concurrent resolution is to request the Public Utilities Commission (PUC) to study the feasibility and potential impact of establishing statewide telecommunications (telecom) free-trade zones in which digital telecommunications service providers are exempt from regulation by the PUC.

It is the understanding of your Committees that the PUC intends to open an investigation of the State's telecommunications infrastructure, which shall address issues concerning, among other things:

- (1) Existing services, emerging services, and services perceived but not yet developed relating to telecommunications;
- (2) Appropriate telecommunications policies and objectives;
- (3) The telecommunications infrastructure that would be required to support current and future services;
- (4) The resources required for a telecommunications infrastructure; and
- (5) The regulatory structure and the extent of regulation that is required for the various services.

The PUC also will include the specific concerns contained in this concurrent resolution, that is, the feasibility and potential impact of establishing telecommunications free trade zones and the deregulation issue. The PUC's findings and recommendations will be contained in the final decision and order issued in the proceeding, a copy of which will be submitted to the Legislature.

The PUC and the Department of Business, Economic Development, and Tourism testified in support of the intent of the concurrent resolution. Your Committee also received supporting testimony from GTE Hawaiian Telephone Company Incorporated (Hawaiian Tel) and the Executive Director of the High Technology Development Corporation.

As affirmed by the records of votes of the members of your Committees on Economic Development and Business Concerns and Consumer Protection and Commerce that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 480 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Amaral, Herkes, Hirono, D. Ige, M. Ige, Takamine, Tam and Tom.

SCRep. 1362 Energy and Environmental Protection and Intergovernmental Relations and International Affairs on H.R. No. 51

This resolution asks the City and County of Honolulu to continue its efforts to reduce the populations of pigeons and other nuisance birds by prohibiting people from feeding them in public areas.

Testimony in support of this resolution was submitted by the Department of Health, the Waikiki Improvement Association, the Hawaiian Humane Society, and the Pestiferous Bird Committee. Testimony against this resolution was submitted by a concerned citizen.

Supporting testimony indicated that the proliferation of pigeons and other pest birds species have caused health concerns that are the direct result of human intervention. The feeding of pest birds creates an artificially high and unhealthy population that becomes dependent on people for survival. The testing of pigeons indicates a persistent presence of birds infected by Salmonella and Campilobacter disease organisms. These disease organisms of the intestinal tract are readily transmitted to people from food and water contaminated with bird feces. There is concern that inflected birds could contaminate the food of picnickers at beach parks. Another concern is that near shore waters might also be contaminated from the runoff in areas with large populations of pestiferous birds.

Your Committees acknowledge the work of the Pestiferous Bird Committee in examining and implementing methods of bird control, including by the creation of informational materials in English and Japanese, that requests people not to feed birds.

As affirmed by the records of votes of the members of your Committees on Energy and Environmental Protection and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 51 and recommend its adoption.

Signed by all members of the Committees except Representatives Hagino, Hirono, Takamine, Takumi and Shon.

SCRep. 1363 Energy and Environmental Protection and Intergovernmental Relations and International Affairs on H.C.R. No. 58

This concurrent resolution asks the City and County of Honolulu to continue its efforts to reduce the populations of pigeons and other nuisance birds by prohibiting people from feeding them in public areas.

Testimony in support of this concurrent resolution was submitted by the Department of Health, the Waikiki Improvement Association, the Hawaiian Humane Society, and the Pestiferous Bird Committee. Testimony against this concurrent resolution was submitted by a concerned citizen.

Supporting testimony indicated that the proliferation of pigeons and other pest birds species have caused health concerns that are the direct result of human intervention. The feeding of pest birds creates an artificially high and unhealthy population that becomes dependent on people for survival. The testing of pigeons indicates a persistent presence of birds infected by Salmonella and Campilobacter disease organisms. These disease organisms of the intestinal tract are readily transmitted to people from food and water contaminated with bird feces. There is concern that inflected birds could contaminate the food of picnickers at beach parks. Another concern is that near shore waters might also be contaminated from the runoff in areas with large populations of pestiferous birds.

Your Committees acknowledge the work of the Pestiferous Bird Committee in examining and implementing methods of bird control, including by the creation of informational materials in English and Japanese, that requests people not to feed birds.

As affirmed by the records of votes of the members of your Committees on Energy and Environmental Protection and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 58 and recommend its adoption.

Signed by all members of the Committees except Representatives Hagino, Hirono, Takamine, Takumi and Shon.

SCRep. 1364 Judiciary on H.C.R. No. 118

The purposes of this concurrent resolution are to:

- (1) Assert that unless there is an exception, the loss of federal funds because there is no state law to revoke or suspend driver's licenses of drug offenders is an intrusion by the federal government into states' rights; and
- (2) Avoid the loss of federal funds by providing written certification to the federal government that the Hawaii State Legislature is opposed to the federal law requiring states to enact laws involving the revocation or suspension driver's licenses of drug offenders.

Since Hawaii does not have a law to revoke or suspend the driver's licenses of drug offenders, Hawaii may lose 5% or about \$4.4 million in federal funds for fiscal years 1994-1995. Thereafter, the amount increases to 10% or about \$8.8 million annually. However, Hawaii will not lose any funds if both the Governor and the State Legislature submit a written certification of their opposition to this federal law.

Testimony in support of this measure was submitted by the Department of Transportation.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 118, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Amaral, Herkes, Hirono, Oshiro, Peters and Takamine.

SCRep. 1365 Education and Intergovernmental Relations and International Affairs on H.R. No. 328

The purpose of this resolution is to encourage state officials to coordinate efforts to improve fire safety in the public schools.

Your Committees received testimony in support of this resolution, with some suggested amendments, from the Department of Education.

Upon consideration, your Committees have amended this resolution by:

- (1) Including all county fire departments, and the Department of Accounting and General Services, in the coordinating effort;
- (2) Acknowledging that the current system has spawned confusion among both school and fire department officials;
- (3) Asking the coordinating officials to develop exit conference procedures so school officials will understand any violations for which they have been cited;
- (4) Asking the coordinating officials to clearly identify, prioritize, and estimate repair costs for existing fire safety problems;
- (5) Asking the coordinating officials to consider a graduated scale for noting fire code violations;
- (6) Encouraging officials to work with the private sector, particularly the local insurance industry, to develop a pilot project aimed at educating school officials and students about fire safety; and
- (7) Making other technical, nonsubstantive amendments for the purposes of clarity, style, and consistency.

As affirmed by the records of votes of the members of your Committees on Education and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 328, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 328, H.D. 1.

Signed by all members of the Committees except Representatives Duldulao, Hagino, M. Ige and Ward.

SCRep. 1366 Education and Intergovernmental Relations and International Affairs on H.C.R. No. 353

The purpose of this concurrent resolution is to encourage state officials to coordinate efforts to improve fire safety in the public schools.

Your Committees received testimony in support of this concurrent resolution, with some suggested amendments, from the Department of Education.

Upon consideration, your Committees have amended this concurrent resolution by:

- (1) Including all county fire departments, and the Department of Accounting and General Services, in the coordinating effort;
- (2) Acknowledging that the current system has spawned confusion among both school and fire department officials;
- (3) Asking the coordinating officials to develop exit conference procedures so school officials will understand any violations for which they have been cited;
- (4) Asking the coordinating officials to clearly identify, prioritize, and estimate repair costs for existing fire safety problems;
- (5) Asking the coordinating officials to consider a graduated scale for noting fire code violations;
- (6) Encouraging officials to work with the private sector, particularly the local insurance industry, to develop a pilot project aimed at educating school officials and students about fire safety; and
- (7) Making other technical, nonsubstantive amendments for the purposes of clarity, style, and consistency.

As affirmed by the records of votes of the members of your Committees on Education and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 353, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 353, H.D. 1.

Signed by all members of the Committees except Representatives Duldulao, Hagino, M. Ige and Ward.

SCRep. 1367 Education on H.C.R. No. 320

The purpose of this concurrent resolution is to request the Department of Education (DOE) to develop a plan for after-school programs for intermediate-level students.

Testifying in opposition to this concurrent resolution, the DOE stated that schools already receive funding for after-school activities and that the decisions on which type of activities to offer should be made at the school level.

Upon consideration, your Committee amended the concurrent resolution by:

- (1) Asking the DOE to identify the need for after-school activities for intermediate-level students;
- (2) Asking the DOE to determine how meaningful after-school programs can be used to address that need; and
- (3) Making other technical, nonsubstantive amendments for the purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 320, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 320, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Chumbley, Hagino, M. Ige, Isbell, Lee and Taniguchi.

SCRep. 1368 Education on H.R. No. 431

The purpose of this resolution is to request a study from the Legislative Auditor on the Department of Education's (DOE) Artmobile program.

Your Committee received testimony in support of this resolution from concerned citizens previously associated with the Artmobile program. The State Foundation on Culture and the Arts submitted comments on the resolution.

Testifying in opposition to the resolution, the Department of Education stated that it already evaluates the Artmobile program on a regular basis.

Upon consideration, your Committee has amended the resolution by:

- (1) Asking the Legislative Auditor to incorporate a program evaluation component into its study to determine if the Artmobile program is meeting its stated objectives;
- (2) Changing the title of the resolution to conform with legislative format; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 431, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 431, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Chumbley, Hagino, M. Ige, Isbell, Lee and Taniguchi.

SCRep. 1369 Education on H.C.R. No. 486

The purpose of this concurrent resolution is to request a study from the Legislative Auditor on the Department of Education's (DOE) Artmobile program.

Your Committee received testimony in support of this concurrent resolution from concerned citizens previously associated with the Artmobile program. The State Foundation on Culture and the Arts submitted comments on the concurrent resolution.

Testifying in opposition to the concurrent resolution, the Department of Education stated that it already evaluates the Artmobile program on a regular basis.

Upon consideration, your Committee has amended the concurrent resolution by:

- (1) Asking the Legislative Auditor to incorporate a program evaluation component into its study to determine if the Artmobile program is meeting its stated objectives;
- (2) Changing the title of the concurrent resolution to conform with legislative format; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 486, 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. 486, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Chumbley, Hagino, M. Ige, Isbell, Lee and Taniguchi.

SCRep. 1370 Consumer Protection and Commerce and Tourism on H.R. No. 429

The purpose of this resolution is to request the Department of Business, Economic Development, and Tourism with assistance from the Department of Commerce and Consumer Affairs and the Department of Taxation to develop methods to subject visitors with time share interests who spend fewer than one hundred and eighty consecutive days in their time share unit or who spend fewer than one hundred and eighty consecutive days in another time share unit as a result of trading with another time share owner, to the transient accommodations tax on the same basis as other visitors.

Your Committees received testimony from the Resort Condominiums International, Inc., Pahio Resorts, American Resort Development Association (ARDA) Hawaii, and Interval International, Inc. in opposition to the resolution. Supportive testimony was submitted by the Hawaii Hotel Association while the Department of Business, Economic Development and Tourism deferred to the Department of Taxation.

Your Committees find that individuals who purchase timeshare interests have made a long-term economic commitment to vacation ownership which has substantial economic benefit to the resort's local community. More importantly, your Committees realize that timeshare owners contribute their fair share of property sales and conveyance taxes and should not be subject to Transient Accommodations Tax.

Although your Committees understand that the timeshare industry is a vital contributor to the travel and tourism industry and provides substantial economic benefits to the State of Hawaii, your Committees have learned that some hotels are planning to convert rooms to timeshare units and possibly causing a reduction in the Transient Accommodations Tax.

In light of this, your Committees feel that an analysis of this subject may be appropriate to consider other alternatives of taxation such as an equivalent occupancy tax or other tax or fee. Thus, your Committees have amended this resolution by:

- 1) Deleting the sixth Whereas Clause;
- 2) Changing the eighth Whereas Clause to read that "some hotels are planning to convert" and deleting "many hotels are converting" and include the phrase "or other tax or fee";
- 3) Changing the word "develop" in the first Be It Resolved Clause to "recommend"; and
- 4) Deleting the phrase "on the same basis as other visitors" in the first Be It Resolved Clause; and including the phrase "or other tax or fee".

As affirmed by the records of votes of the members of your Committees on Consumer Protection and Commerce and Tourism that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 429, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 429, H.D. 1.

Signed by all members of the Committees except Representatives Amaral, Chang, Chumbley, Herkes, Hirono, Lee, Takamine and Tom.

SCRep. 1371 Consumer Protection and Commerce and Tourism on H.C.R. No. 466

The purpose of this concurrent resolution is to request the Department of Business, Economic Development, and Tourism with assistance from the Department of Commerce and Consumer Affairs and the Department of Taxation to develop methods to subject visitors with time share interests who spend fewer than one hundred and eighty consecutive days in their time share unit or who spend fewer than one hundred and eighty consecutive days in another time share unit as a result of trading with another time share owner, to the transient accommodations tax on the same basis as other visitors.

Your Committees received testimony from the Resort Condominiums International, Inc., Pahio Resorts, American Resort Development Association (ARDA) Hawaii, and Interval International, Inc. in opposition to the resolution. Supportive testimony was submitted by the Hawaii Hotel Association while the Department of Business, Economic Development and Tourism deferred to the Department of Taxation.

Your Committees find that individuals who purchase timeshare interests have made a long-term economic commitment to vacation ownership which has substantial economic benefit to the resort's local community. More importantly, your Committees realize that timeshare owners contribute their fair share of property sales and conveyance taxes and should not be subject to Transient Accommodations Tax.

Although your Committees understand that the timeshare industry is a vital contributor to the travel and tourism industry and provides substantial economic benefits to the State of Hawaii, your Committees have learned that some hotels are planning to convert rooms to timeshare units and possibly causing a reduction in the Transient Accommodations Tax.

In light of this, your Committees feel that an analysis of this subject may be appropriate to consider other alternatives of taxation such as an equivalent occupancy tax or other tax or fee. Thus, your Committees have amended this concurrent resolution by:

- 1) Deleting the sixth Whereas Clause;
- 2) Changing the eighth Whereas Clause to read that "some hotels are planning to convert" and deleting "many hotels are converting" and include the phrase "or other tax or fee";
- 3) Changing the word "develop" in the first Be It Resolved Clause to "recommend"; and
- 4) Deleting the phrase "on the same basis as other visitors" in the first Be It Resolved Clause; and including the phrase "or other tax or fee".

As affirmed by the records of votes of the members of your Committees on Consumer Protection and Commerce and Tourism that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 466, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 466, H.D. 1.

Signed by all members of the Committees except Representatives Amaral, Chang, Chumbley, Herkes, Hirono, Lee, Takamine and Tom.

SCRep. 1372 Consumer Protection and Commerce on H.R. No. 319

The purpose of this resolution is to request the Director of the Department of Commerce and Consumer Affairs to develop a plan for the electronic access and distribution of their data and information through the State's information network.

Your Committee received supportive testimony from the Hawaii Information Network Corporation of the Department of Budget and Finance. The Department of Commerce and Consumer Affairs (DCCA) had no objections to the resolution.

Your Committee finds that, at the present time, the business registration (BREG) system which contains information regarding corporations, partnerships and tradenames registered with the State and the 130 Consumer Dial messages which contain consumer tips and information about department services are both accessible through the State's Hawaii FYI.

Furthermore, your Committee understands that there are other public data and information maintained by DCCA which might be accessible electronically. Therefore, your Committee has amended this resolution by:

- 1) Including the Hawaii Information Network Corporation of the Department of Budget and Finance to the first Be It Resolved Clause and to the first Be It Further Resolved Clause; and
- 2) Adding that the Office of the State Librarian receive certified copies of the resolution.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 319, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 319, H.D. 1.

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

SCRep. 1373 Consumer Protection and Commerce on H.C.R. No. 337

The purpose of this concurrent resolution is to request the Director of the Department of Commerce and Consumer Affairs to develop a plan for the electronic access and distribution of their data and information through the State's information network.

Your Committee received supportive testimony from the Hawaii Information Network Corporation of the Department of Budget and Finance. The Department of Commerce and Consumer Affairs (DCCA) had no objections to the concurrent resolution.

Your Committee finds that, at the present time, the business registration (BREG) system which contains information regarding corporations, partnerships and tradenames registered with the State and the 130 Consumer Dial messages which contain consumer tips and information about department services are both accessible through the State's Hawaii FYI.

Furthermore, your Committee understands that there are other public data and information maintained by DCCA which might be accessible electronically. Therefore, your Committee has amended this concurrent resolution by:

- 1) Including the Hawaii Information Network Corporation of the Department of Budget and Finance to the first Be It Resolved Clause and to the first Be It Further Resolved Clause; and
- 2) Adding that the Office of the State Librarian receive certified copies of the concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 337, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 337, H.D. 1.

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

SCRep. 1374 Consumer Protection and Commerce on H.R. No. 311

The purpose of this resolution is to request that the Legislative Reference Bureau study the concept of a citizens' utility board (CUB) as a vehicle for citizen participation and input on public utility matters. The scope of the study requested includes: a description of the structure, operations and objectives of a CUB; the effectiveness of CUBs; the advantages and disadvantages of CUBs; the feasibility of creating a CUB, and the State's involvement therein; the process for creating a CUB; the financial impact upon the State of having a CUB; and recommendations as to the creation of a CUB in this State.

Testimony on this resolution was received from the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs (Consumer Advocate), Hawaiian Electric Company, Inc., GTE Hawaiian Telephone Company, the West Hawaii Committee, Mechanical Engineers Energy Consultants, and members of the Integrated Resource Planning Advisory Groups for the Hawaii Electric and Light Company and Gasco, Inc.

Your Committee understands that CUBs currently operate in five to six states, including Illinois, Wisconsin, and California. These boards are typically funded through voluntary membership dues, and are therefore, responsive to their membership, rather than the public at large. However, there is no single model for a CUB, which may be composed of elected members, or serve solely in an advisory capacity.

Testimony in opposition to this resolution stressed the lack of need for a CUB because consumers' interests are already represented by the Consumer Advocate and utilities' consumer affairs groups. Opponents also questioned the effectiveness of a CUB given the complex and technical nature of regulatory issues, and claimed that CUBs are typically self serving, special interest groups, or tend to include "retirees, housewives, indigents and the disabled".

Your Committee is not persuaded by the objections raised to a study of CUBs. The state of Illinois has both a consumer advocate and a CUB, and the State's Consumer Advocate does not oppose studying the CUB concept. Further, a CUB would be independent of a utility, unlike a consumer affairs group staffed by the utility. Finally, your Committee believes that if a vehicle is eventually created for the direct participation of consumers in the regulatory process, the input of all segments of the State merits consideration, including that of homemakers, the retired, the indigent, and the disabled.

While your Committee supports the undertaking requested in this resolution, it favors expanding the scope of the study to include a comprehensive review of all of the various types or models of CUBs, including a citizens' advisory board. Accordingly, your Committee has amended this resolution to:

- (1) Broaden the title herein to include a study of a citizens' utility advisory board, and add references thereto throughout the text;
- (2) Reflect that the State of Illinois has both a consumer advocate and a CUB;
- (3) Reflect that CUBs exist in different formats and operate on different models, and include advisory boards;
- (4) Expand the scope of the study to include a review of all forms of CUBs, including advisory CUBs; and
- (5) Make technical, nonsubstantive revisions for the purposes of clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 311, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 311, H.D. 1.

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

SCRep. 1375 Consumer Protection and Commerce on H.C.R. No. 329

The purpose of this concurrent resolution is to request that the Legislative Reference Bureau study the concept of a citizens' utility board (CUB) as a vehicle for citizen participation and input on public utility matters. The scope of the study requested includes: a description of the structure, operations and objectives of a CUB; the effectiveness of CUBs; the advantages and disadvantages of CUBs; the feasibility of creating a CUB, and the State's involvement therein; the process for creating a CUB; the financial impact upon the State of having a CUB; and recommendations as to the creation of a CUB in this State.

Testimony on this concurrent resolution was received from the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs (Consumer Advocate), Hawaiian Electric Company, Inc., GTE Hawaiian Telephone Company, the West Hawaii Committee, Mechanical Engineers Energy Consultants, and members of the Integrated Resource Planning Advisory Groups for the Hawaii Electric and Light Company and Gasco, Inc.

Your Committee understands that CUBs currently operate in five to six states, including Illinois, Wisconsin, and California. These boards are typically funded through voluntary membership dues, and are therefore, responsive to their membership, rather than the public at large. However, there is no single model for a CUB, which may be composed of elected members, or serve solely in an advisory capacity.

Testimony in opposition to this concurrent resolution stressed the lack of need for a CUB because consumers' interests are already represented by the Consumer Advocate and utilities' consumer affairs groups. Opponents also questioned the effectiveness of a CUB given the complex and technical nature of regulatory issues, and claimed that CUBs are typically self serving, special interest groups, or tend to include "retirees, housewives, indigents and the disabled".

Your Committee is not persuaded by the objections raised to a study of CUBs. The state of Illinois has both a consumer advocate and a CUB, and the State's Consumer Advocate does not oppose studying the CUB concept. Further, a CUB would be independent of a utility, unlike a consumer affairs group staffed by the utility. Finally, your Committee believes that if a vehicle is eventually created for the direct participation of consumers in the regulatory process, the input of all segments of the State merits consideration, including that of homemakers, the retired, the indigent, and the disabled.

While your Committee supports the undertaking requested in this concurrent resolution, it favors expanding the scope of the study to include a comprehensive review of all of the various types or models of CUBs, including a citizens' advisory board. Accordingly, your Committee has amended this concurrent resolution to:

- (1) Broaden the title herein to include a study of a citizens' utility advisory board, and add references thereto throughout the text;
- (2) Reflect that the State of Illinois has both a consumer advocate and a CUB;
- (3) Reflect that CUBs exist in different formats and operate on different models, and include advisory boards;
- (4) Expand the scope of the study to include a review of all forms of CUBs, including advisory CUBs; and
- (5) Make technical, nonsubstantive revisions for the purposes of clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 329, 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. 329, H.D. 1.

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

SCRep. 1376 Health; Consumer Protection and Commerce; and Legislative Management on H.C.R. No. 163

The purpose of this concurrent resolution is to investigate concerns regarding the relationship between mutual benefit societies and health care providers.

Specifically, this concurrent resolution, as received, would:

- (1) Require the Auditor to conduct a study on the operation and practices of mutual benefit societies and other entities that provide health plans and health services;
- (2) Specify that the foregoing study include:
 - (A) An assessment of whether mutual benefit societies are subjected to governmental oversight or regulation;
 - (B) An analysis of the propriety of mutual benefit societies providing direct health care services;
 - (C) The financial impact on the health care field if mutual benefit societies are allowed to provide direct services;
 - (D) A determination of the current level of regulatory oversight by the State on mutual benefit societies;
 - (E) Regulatory guidelines on the operations and practices of mutual benefit societies; and
 - (F) Information on other issues pertaining to potential conflict of interest and anti-trust concerns stemming from the dual role of mutual benefit societies as both an insurer and a health care provider; and
- (3) Urge the Office of Consumer Protection, the Department of Commerce and Consumer Affairs, the Insurance Commissioner, the Department of Health, the State Planning and Development Agency, and other public or private agencies to cooperate with the Auditor during the course of the foregoing study.

Supportive testimony was submitted by the Hawaii Federation of Physicians and Dentists and the Hawaii State Association of Life Underwriters. Testimony in opposition to this bill was submitted by the Hawaii Medical Service Association.

While your Committees acknowledge that Health Maintenance Organizations (HMOs) such as the Hawaii Medical Service Association and Kaiser Permanente have demonstrated a dedicated commitment toward serving the health care needs of the general public, your Committees are concerned that due to the relatively small economies of scale in our State, the apparent dominance of HMOs in the health care insurance industry may conceivably hamper competition in the medical marketplace--a situation that could possibly impact the costs of health care for consumers.

In keeping with the aforementioned findings, your Committees have amended this bill as follows:

- (1) Expanded the scope of the study to include "other insurer-providers" such as HMOs;
- (2) Revised the title to reflect the expanded scope of the study and to read:

"HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY FROM THE LEGISLATIVE AUDITOR ON MUTUAL BENEFIT SOCIETIES AND OTHER HEALTH CARE INSURER-PROVIDERS";
- (3) Deleted language pertaining to the percentage of the health insurance market that is comprised by mutual benefit societies;
- (4) Eliminated the provision that would have requested the Auditor to submit regulatory guidelines on mutual benefit societies;
- (5) Inserted language that would request the Auditor to submit a report of the findings and recommendations to the Legislature at least twenty days prior to the convening of the Regular Session of 1995; and
- (6) Made technical, nonsubstantive revisions for the purposes of clarity, conformity, and style.

As affirmed by the records of votes of the members of your Committees on Health and Consumer Protection and Commerce and Legislative Management that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 163, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 163, H.D. 1.

Signed by all members of the Committees except Representatives Amaral, Arakaki, Bunda, Menor, Okamura, Peters, Say, Souki, Tom and Young.
 (Representatives Hiraki and Hirono voted no.)

SCRep. 1377 Health and Legislative Management on H.R. No. 257

The purpose of this resolution is to improve the overall operations of the State community hospital system by requesting the Legislative Auditor to conduct a performance and financial audit of the Community Hospital Information Processing System (CHIPS) to determine the amount of resources expended on developing the system and to identify why problems have prevented its implementation.

The Department of Health (DOH) testified that it is moving forward with implementing a plan to replace the CHIPS system with new hardware and software. It suggested that the proposed audit duplicates a 1992 study already completed by the Legislative Auditor. On the other hand, the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supported this resolution, testifying that CHIPS has been a costly and ineffective system fraught with problems.

Your Committees have amended this measure by:

- (1) Directing the Auditor to review the problems with DOH's oversight and management efforts relating to the installation of CHIPS, including the roles and responsibilities of the consultants; and
- (2) Correcting certain typographic, technical, and stylistic errors.

As affirmed by the records of votes of the members of your Committees on Health and Legislative Management that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 257, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 257, H.D. 1.

Signed by all members of the Committees except Representatives Arakaki, Baker and Young.

SCRep. 1378 Health and Legislative Management on H.C.R. No. 261

The purpose of this concurrent resolution is to improve the overall operations of the State community hospital system by requesting the Legislative Auditor to conduct a performance and financial audit of the Community Hospital Information Processing System (CHIPS) to determine the amount of resources expended on developing the system and to identify why problems have prevented its implementation.

The Department of Health (DOH) testified that it is moving forward with implementing a plan to replace the CHIPS system with new hardware and software. It suggested that the proposed audit duplicates a 1992 study already completed by the Legislative Auditor. On the other hand, the Hawaii Government Employees Association, AFSCME Local 152,

AFL-CIO supported this concurrent resolution, testifying that CHIPS has been a costly and ineffective system fraught with problems.

Your Committees have amended this measure by:

- (1) Directing the Auditor to review the problems with DOH's oversight and management efforts relating to the installation of CHIPS, including the roles and responsibilities of the consultants; and
- (2) Correcting certain typographic, technical, and stylistic errors.

As affirmed by the records of votes of the members of your Committees on Health and Legislative Management that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 261, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 261, H.D. 1.

Signed by all members of the Committees except Representatives Arakaki, Baker and Young.

SCRep. 1379 Health and Judiciary on H.R. No. 169

The purpose of this resolution is to request that the Department of Health (DOH) consider implementing a one-year drinking driver program to provide appropriate treatment and education to all persons convicted of driving under the influence of intoxicating liquor (DUI).

Testimony in support of this resolution was submitted by the Department of Health and the Commission on Persons with Disabilities.

Upon consideration, your Committees have amended this resolution by:

- (1) Requesting that the DOH and the Judiciary consider implementing a drinking driving program to provide appropriate treatment and education to all DUI offenders;
- (2) Eliminating the requirement that the program be viewed as a one-year program;
- (3) Requiring that the program explore or assist in seeking financial assistance or alternatives for participating individuals that are unable or unwilling to pay, or whose financial resources are limited; and
- (4) Making technical, nonsubstantive amendments for purposes of style and clarity.

As affirmed by the records of votes of the members of your Committees on Health and Judiciary that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 169, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 169, H.D. 1.

Signed by all members of the Committees except Representatives Amaral, Arakaki, Kawakami, Menor, Oshiro, Pepper, Peters and Takamine.

SCRep. 1380 Health and Judiciary on H.C.R. No. 173

The purpose of this concurrent resolution is to request that the Department of Health (DOH) consider implementing a one-year drinking driver program to provide appropriate treatment and education to all persons convicted of driving under the influence of intoxicating liquor (DUI).

Testimony in support of this concurrent resolution was submitted by the Department of Health and the Commission on Persons with Disabilities.

Upon consideration, your Committees have amended this concurrent resolution by:

- (1) Requesting that the DOH and the Judiciary consider implementing a drinking driving program to provide appropriate treatment and education to all DUI offenders;
- (2) Eliminating the requirement that the program be viewed as a one-year program;
- (3) Requiring that the program explore or assist in seeking financial assistance or alternatives for participating individuals that are unable or unwilling to pay, or whose financial resources are limited; and
- (4) Making technical, nonsubstantive amendments for purposes of style and clarity.

As affirmed by the records of votes of the members of your Committees on Health and Judiciary that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 173, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 173, H.D. 1.

Signed by all members of the Committees except Representatives Amaral, Arakaki, Kawakami, Menor, Oshiro, Pepper, Peters and Takamine.

SCRep. 1381 Health and Judiciary on H.R. No. 386

The purpose of this resolution is to request the Legislative Reference Bureau to examine the usage of cannabis derivative for medical research and treatment. More specifically, the report shall:

- (1) Analyze existing federal and state laws pertaining to the usage of cannabis derivative as aforescribed; and
- (2) Analyze the economic benefits that might result from government-supervised production of marijuana in this State for the foregoing purposes.

Supportive testimony was submitted by Citizens Advocating Responsible Education, a parent of a child with lymphocytic leukemia, and a concerned citizen.

While in support of the intent of the resolution, the Department of Health emphasized that such a study would involve costly medical research in order to attain credible results that could withstand scrutiny by the scientific community.

Several newspaper articles and other materials were submitted in support of the use of marijuana as a prescription drug for certain medical conditions. Research indicates that marijuana can be effective in reducing or eliminating nausea associated with chemotherapy, and the severe discomforts associated with the AIDS virus. More than half of the states have legislatively recognized the medical value of marijuana.

Your Committees believe that seriously ill persons deserve controlled access to medicines which have been proven to be safe and effective in treating conditions or relieving their suffering. However, your Committees recognize the need to proceed carefully on this matter.

As affirmed by the records of votes of the members of your Committees on Health and Judiciary that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 386, and recommend that it be referred to the Committee on Legislative Management.

Signed by all members of the Committees except Representatives Amaral, Arakaki, Kawakami, Menor, Oshiro, Pepper, Peters and Takamine.

SCRep. 1382 Health and Judiciary on H.C.R. No. 426

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to examine the usage of cannabis derivative for medical research and treatment. More specifically, the report shall:

- (1) Analyze existing federal and state laws pertaining to the usage of cannabis derivative as aforescribed; and
- (2) Analyze the economic benefits that might result from government-supervised production of marijuana in this State for the foregoing purposes.

Supportive testimony was submitted by Citizens Advocating Responsible Education, a parent of a child with lymphocytic leukemia, and a concerned citizen.

While in support of the intent of the concurrent resolution, the Department of Health emphasized that such a study would involve costly medical research in order to attain credible results that could withstand scrutiny by the scientific community.

Several newspaper articles and other materials were submitted in support of the use of marijuana as a prescription drug for certain medical conditions. Research indicates that marijuana can be effective in reducing or eliminating nausea associated with chemotherapy, and the severe discomforts associated with the AIDS virus. More than half of the states have legislatively recognized the medical value of marijuana.

Your Committees believe that seriously ill persons deserve controlled access to medicines which have been proven to be safe and effective in treating conditions or relieving their suffering. However, your Committees recognize the need to proceed carefully on this matter.

As affirmed by the records of votes of the members of your Committees on Health and Judiciary that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 426, and recommend that it be referred to the Committee on Legislative Management.

Signed by all members of the Committees except Representatives Amaral, Arakaki, Kawakami, Menor, Oshiro, Pepper, Peters and Takamine.

SCRep. 1383 Human Services and Intergovernmental Relations and International Affairs on H.R. No. 346

The purpose of this resolution is to require state and county government agencies to incorporate family impact statements as part of any policy and program recommendation to the Governor.

Testimony was received from the Department of Health, the Task Force on the Family, the Aloha Family Council, and the American Parents Association of Hawaii in favor of this measure, while the Office of Children and Youth submitted testimony in opposition to this measure.

It is noted that although the Office of Children and Youth testified against this measure, they recognize the intended effects of this resolution as being worthwhile. Your Committees find that deciding what is a positive or negative effect on a family can be extremely subjective in terms of interpretation. Thus, without clear definitions for such terms as "families", developing a family impact statement could be problematic. At present, the Governor's Family Policy Academy, with technical assistance from the Office of Children and Youth and other agencies, is examining public and private sector policies to strengthen families and promote cost effective service delivery systems.

Upon further consideration, your Committees have amended this measure by:

- (1) changing the title of the resolution to reflect the modified intent:

"Requesting the Governor's Family Policy Academy to report its findings and recommendations to the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994";
- (2) deleting the last three WHEREAS clauses, and inserting in its place the following:

"WHEREAS, programs and services can be designed to address the interrelatedness of factors impacting families and can empower families to build upon their assets in facing changes and maximizing opportunities; and communities and families should play and integral role in the planning and delivery of services; and

WHEREAS, the Governor's Family Policy Academy, with technical assistance from the Council of Governors' Policy Advisors in cooperation with the National Governors' Association, and whose membership includes high level representatives from state government including the Department of Human resources, Department of Health, Department of Education, Department of Labor and Industrial Relations, Department of Business, Economic Development and Tourism, the Governor's Office of Children and Youth, the Department of Budget and Finance, and the University of Hawaii and community leaders from the Hawaii Community Foundation, the Hawaii Community Services Council, Parents and Children Together and Aloha United Way is currently examining public and private sector policies to strengthen families and promote cost effective service delivery systems with the ability to produce improved outcomes for families";
- (3) deleting the BE IT RESOLVED clauses, and inserting in its place the following:

"BE IT RESOLVED by the House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1993, the Senate concurring, that the Governor's Family Policy Academy submit a report their findings and recommendations to the Legislature at least twenty-days prior to the convening of the Regular Session of 1994"; and
- (4) deleting the first BE IT FURTHER RESOLVED clause.

As affirmed by the records of votes of the members of your Committees on Human Services and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 346, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 346, H.D. 1.

Signed by all members of the Committees except Representatives Alcon, Arakaki, Duldulao, Hagino and Peters.
 (Representative O'Kieffe voted no.)

SCRep. 1384 Human Services and Intergovernmental Relations and International Affairs on H.R. No. 195

The purpose of this resolution is to urge the Honolulu Police Department to review its policy regarding missing person investigations.

Testimony from the Department of Health and the Kokua Council for Senior Citizens was received in support of this measure.

Your Committees find that the mentally ill, as well as other disabled individuals, are at risk when they wander from their care homes. Such individuals may require medication or other types of periodic medical care within a given 24 hour period. It is also noted that mentally ill individuals who wander away from their care facilities are often at risk of being accosted by others, being abusive toward strangers, or injuring themselves or others when unsupervised by trained individuals. Currently, police departments require a waiting period of 24 hours prior to initiating a missing persons investigation. Reduction of this waiting period would reduce the risk to the individuals of a care facility as well the general public.

Upon further consideration, your Committees have amended this resolution to send certified copies of the resolution to the police departments of all the counties within the State of Hawaii.

As affirmed by the records of votes of the members of your Committees on Human Services and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 195, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 195, H.D. 1.

Signed by all members of the Committees except Representatives Alcon, Arakaki, Duldulao, Hagino and Peters.

SCRep. 1385 Human Services and Education on H.R. No. 347

The purpose of this resolution is to request the Governor's Office of Children and Youth in consultation with the Hawaii Community Foundation and the Hawaii Business Roundtable, to undertake a study on the early childhood education and care finance implementation initiative.

Testimony from the Office of Children and Youth and the Hawaii Business Roundtable was received in support of this measure.

Your Committees find that national statistics reveal that considerable resources are saved in remediation costs when young children have the benefit of quality early childhood education and care programs. In spite of its critical impact on Hawaii's families and the economy, initial examination of the existing Early Childhood System reveals great fragmentation in the delivery of services, and lack of coordination among early childhood agencies and programs throughout the state. This lack of integration has created inconsistency in the quality of available services, and an inadequate supply of Early Education/Care services to meet the needs of all of Hawaii's families with children aged five years or less.

Upon further consideration, your Committees have amended this measure by:

- (1) inserting the following:

"WHEREAS, an advisory committee consisting of representatives of the Office of Children and Youth, the Hawaii Community Foundation, Castle and Cooke Properties, Inc., the Department of Human Services, Kamehameha Schools/Bishop Estates, Tax Foundation of Hawaii, Campbell Estates, University of Hawaii, Bank of Hawaii, American Trust, the Hawaii Association for the Education of Young Children, Department of Education, the Legislature, and the Office of the Governor has been working in partnership to address the issue of early childhood education"; and

- (2) making technical, non-substantive changes for the purposes of style and clarity.

As affirmed by the records of votes of the members of your Committees on Human Services and Education that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 347 as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 347, H.D. 1.

Signed by all members of the Committees except Representatives Apo, Hagino, M. Ige, Ihara, Lee, Peters and Shon.

SCRep. 1386 Agriculture and Health on H.C.R. No. 359

The purpose of this concurrent resolution is to request the Department of Agriculture (DOA) to examine the medicinal characteristics and potential benefits of the Morinda citrifolia, or "noni" plant.

Supportive testimony was submitted by the Hawaii County Council.

In written comments submitted on this measure, the DOA testified that because it is primarily a regulatory agency and not a research agency, the DOA does not have the facilities nor the expertise to conduct the aforementioned study.

In light of this, your Committees have amended this concurrent resolution as follows:

- (1) Requested the University of Hawaii's John A. Burns School of Medicine, in lieu of the DOA, to conduct the study;

- (2) Revised the title to reflect the foregoing substantive change, and to read:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE JOHN A. BURNS SCHOOL OF MEDICINE OF THE UNIVERSITY OF HAWAII TO EXAMINE THE MEDICINAL CHARACTERISTICS AND BENEFITS OF THE MORINDA CITRIFOLIA, OR NONI PLANT"; and

- (3) Made technical, nonsubstantive revisions for the purposes of clarity and style.

As affirmed by the records of votes of the members of your Committees on Agriculture and Health that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 359, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 359, H.D. 1.

Signed by all members of the Committees except Representatives Arakaki, Chun, Tam and Marumoto.

SCRep. 1387 Agriculture on H.R. No. 390

The purpose of this resolution is to request the Department of Agriculture (DOA) to aggressively promote the purchase by State residents of at least one Hawaii-grown agricultural product each week.

The DOA testified that there is ongoing effort by the Department to promote Hawaii-grown products to local residents. The DOA's "Island Fresh" program and the "Island Fresh" booth exhibit at the Hawaii State Farm Fair are ongoing

campaigns that promote Hawaii-grown agricultural products in the local market. Some of the activities which are included under the "Island Fresh" program are:

- (1) Recipe development and distribution to stimulate usage of island products;
- (2) Distribution of press releases, which are turned into articles in local newspapers;
- (3) Public service television commercials;
- (4) A statewide contest to encourage retailers to use "Island Fresh" point of purchase signs, which identify local products; and
- (5) An "Island Fresh" newspaper tabloid, which is inserted in both Honolulu daily newspapers to create awareness for Hawaii products and to encourage people to visit the "Island Fresh" booth exhibit at the Hawaii State Farm Fair.

While your Committee recognizes the efforts by DOA to promote Hawaii-grown products, your Committee asserts that more aggressive marketing strategies need to be initiated in the State to include the cooperation and participation of various sectors of the community, such as the DOA; the Department of Business, Economic Development, and Tourism; the Hawaii Visitors Bureau; and the restaurant, retail, hotel, and other aspects of the visitor industry.

To broaden and strengthen the effort to promote Hawaii-grown agricultural products, your Committee has amended this resolution by requesting that:

- (1) DOA coordinate with the Produce Marketing Association's "Five-A-Day" marketing program, which encourages and promotes the consumption of fresh fruits and vegetables; and
- (2) Requesting that copies of the resolution also be submitted to the Hawaii Food Industry Association and Hawaii Restaurant Association.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 390, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 390, H.D. 1.

Signed by all members of the Committee except Representatives Ishii-Morikami and Tam.

SCRep. 1388 Agriculture on H.C.R. No. 351

The purposes of this concurrent resolution, as received by your Committee, are to request the Legislative Auditor to evaluate the:

- (1) Financial, programmatic, and public policy effects of transferring the Aquaculture Development Program from the Department of Land and Natural Resources (DLNR) to the Department of Agriculture (DOA); and
- (2) Feasibility and advisability of consolidating the Governor's Agriculture Coordinating Committee and the Hawaii Aquaculture Advisory Council into a single entity.

This concurrent resolution also requests the Auditor to submit a report of the findings and recommendations to the Legislature at least twenty days prior to the convening of the Regular Session of 1994.

During the public hearing, there was extensive discussion on the primary issue of how to improve the aquaculture industry in Hawaii. While many of the testifiers indicated in their written testimony that they were opposed to the original draft of the concurrent resolution, many testifiers orally stated their support of the intent of the measure, which, among other things, is an effort to improve, strengthen, and support the aquaculture industry in the State.

While your Committee acknowledges the concerns raised by representatives from DLNR, DOA, and the aquaculture industry (that the transfer the Aquaculture Development Program from DLNR to DOA could conceivably result in the loss of program momentum, program stature, and effectiveness, as well as its staff and facilities), your Committee believes that there is compelling need to examine the State's role in the aquaculture industry in order to strengthen and support the aquaculture industry in Hawaii.

The DOA and DLNR testified in opposition to this measure. Your Committee also received testimony in strong opposition to this concurrent resolution from Aurea Marine, Inc., Hawaii Aquaculture Company Inc.; Pahe'ehe'e Ridge Associations Economic Development Committee; Boke' Farms; the President of Cyanotech Corporation and Keahole Point Association; representatives from the aquaculture industry; and various concerned citizens from the aquaculture industry. Your Committee also received written comments from the University of Hawaii (UH) Sea Grant College Program; the UH School of Ocean & Earth Science & Technology; the Economic Development Coordinator for the Office of Economic Development of Maui County; the Executive Director of the Natural Energy Laboratory of Hawaii Authority; the President of Pacific Aquaculture Technology; Aquaculture Enterprises; and an aquaculturalist.

Your Committee recognizes the concerns raised by the aquaculture industry and other testifiers, and therefore proposes new language that supports and strengthens the continued viability and growth of the aquaculture industry in the State. Your Committee further recognizes that additional information is needed to enable sound and innovative methods and means of enhancing the development of Hawaii's aquaculture industry.

Upon careful consideration, your Committee has amended this concurrent resolution by deleting its substance and inserting new language that requests the DLNR to:

- (1) Conduct a comprehensive survey of the aquaculture industry to determine the constraints and alternative solutions of expanded aquaculture development;
- (2) Develop a long-range development strategy that documents the major global trends of aquaculture expansion, identifies opportunities for growth, and guides development efforts to the year 2000;
- (3) Prepare a three-year initial implementation plan, in cooperation with the industry, that reflects the goals, objectives, policies, and recommendations that focuses on mitigating disadvantages and optimizing advantages pertaining to the development of Hawaii's aquaculture industry; and
- (4) Submit a report of its findings and recommendations to the Legislature at least twenty days prior to the convening of the Regular Session of 1994.

Accordingly, your Committee has also amended this concurrent resolution as follows:

- (1) Revised the title to read:

"HOUSE CONCURRENT RESOLUTION REQUESTING AN ASSESSMENT OF THE CONSTRAINTS TO A MORE RAPID EXPANSION OF HAWAII'S AQUACULTURE INDUSTRY AND RECOMMENDATIONS FOR SOLUTIONS"; and
- (2) Made technical, nonsubstantive revisions for the purposes of clarity, conformity, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 351, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 351, H.D. 1.

Signed by all members of the Committee except Representatives Morihara and Tam.

SCRep. 1389 Education and Health on H.R. No. 265

The purpose of this resolution is to request that the Departments of Health and Education develop a new Memorandum of Agreement on the provision of mental health services to children and youths.

Your Committees received testimony in support of the resolution from the Department of Health, the Department of Education, and the Mental Health Association in Hawai'i.

Upon consideration, your Committees have amended the resolution by:

- (1) Specifying that the Departments are requested to complete the new Memorandum of Agreement prior to the start of the next school year;
- (2) Requesting the Departments to report back to the Legislature by August 31, 1993, with a copy of the new Memorandum of Agreement;
- (3) Requesting the Departments to develop a common vision for the broader program of providing mental health services to children and youths;
- (4) Specifying that the common visions should include an identification of unfunded needs, and a prioritization of those needs;
- (5) Specifying that the Departments should solicit the views and input of the community when developing a common vision for provision of mental health services to children and youths;
- (6) Asking that the Director of the Department of Health and the Superintendent of Education, or their designees, participate directly in developing both the new Memorandum of Agreement and the common vision; and
- (7) Making other technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the records of votes of the members of your Committees on Education and Health that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 265, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 265, H.D. 1.

Signed by all members of the Committees except Representatives Apo, Chun, Hagino, M. Ige, Kawakami, Lee and Taniguchi.

SCRep. 1390 Education and Health on H.C.R. No. 268

The purpose of this concurrent resolution is to request that the Departments of Health and Education develop a new Memorandum of Agreement on the provision of mental health services to children and youths.

Your Committees received testimony in support of the concurrent resolution from the Department of Health, the Department of Education, and the Mental Health Association in Hawai'i.

Upon consideration, your Committees have amended the concurrent resolution by:

- (1) Specifying that the Departments are requested to complete the new Memorandum of Agreement prior to the start of the next school year;
- (2) Requesting the Departments to report back to the Legislature by August 31, 1993, with a copy of the new Memorandum of Agreement;
- (3) Requesting the Departments to develop a common vision for the broader program of providing mental health services to children and youths;
- (4) Specifying that the common visions should include an identification of unfunded needs, and a prioritization of those needs;
- (5) Specifying that the Departments should solicit the views and input of the community when developing a common vision for provision of mental health services to children and youths;
- (6) Asking that the Director of the Department of Health and the Superintendent of Education, or their designees, participate directly in developing both the new Memorandum of Agreement and the common vision; and
- (7) Making other technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the records of votes of the members of your Committees on Education and Health that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 268, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 268, H.D. 1.

Signed by all members of the Committees except Representatives Apo, Chun, Hagino, M. Ige, Kawakami, Lee and Taniguchi.

SCRep. 1391 Education and Health on H.R. No. 264

The purpose of this resolution is to request that the Department of Education (DOE) and the Department of Health (DOH) extend the current Peer Education Program to younger teens and include a strong abstinence message.

Currently, there is an epidemic of teenage pregnancies across the Nation and a yearly cost of \$16.5 billion is being spent for health care and welfare to support teenage mothers and their babies. In Hawaii, a 1990 survey of teens found 42 percent of male and female respondents had engaged in sexual intercourse and that only 39 percent of the sexually active students used birth control. Moreover, Hawaii has the twelfth highest rate of per capita teenage pregnancy in the Nation. The passage of this measure would strongly encourage the provision of information to younger teens on pregnancy prevention to avoid adverse consequences to the health of these youngsters, as well as decrease the possibility of limiting their future opportunities such as completing their education.

Testimony in support of this measure was submitted by the DOH and private citizens. Although the DOE concurs with the intent of the measure, it did not think its passage was necessary because the concerns of the measure were already being addressed by the Department. The Hawaii Right to Life testified in opposition.

As affirmed by the records of votes of the members of your Committees on Education and Health that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 264 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Apo, Chun, Hagino, M. Ige, Kawakami, Lee and Taniguchi.

SCRep. 1392 Education and Health on H.C.R. No. 267

The purpose of this concurrent resolution is to request that the Department of Education (DOE) and the Department of Health (DOH) extend the current Peer Education Program to younger teens and include a strong abstinence message.

Currently, there is an epidemic of teenage pregnancies across the Nation and a yearly cost of \$16.5 billion is being spent for health care and welfare to support teenage mothers and their babies. In Hawaii, a 1990 survey of teens found 42 percent of male and female respondents had engaged in sexual intercourse and that only 39 percent of the sexually active students used birth control. Moreover, Hawaii has the twelfth highest rate of per capita teenage pregnancy in the Nation. The passage of this measure would strongly encourage the provision of information to younger teens on pregnancy prevention to avoid adverse consequences to the health of these youngsters, as well as decrease the possibility of limiting their future opportunities such as completing their education.

Testimony in support of this measure was submitted by the DOH and private citizens. Although the DOE concurs with the intent of the measure, it did not think its passage was necessary because the concerns of the measure were already being addressed by the Department. The Hawaii Right to Life testified in opposition.

As affirmed by the records of votes of the members of your Committees on Education and Health that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 267 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Apo, Chun, Hagino, M. Ige, Kawakami, Lee and Taniguchi.

SCRep. 1393 Education and Labor and Public Employment on H.R. No. 343

The purpose of this resolution is to request that the Department of Education ensure that each school has a minimum of one full-time clerical position in addition to the school administrative services assistant.

Testimony in strong support of this resolution was heard from the Department of Education and the Hawaii Government Employees Association.

As affirmed by the records of votes of the members of your Committees on Education and Labor and Public Employment that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 343 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Alcon, Apo, Arakaki, Duldulao, Hagino, M. Ige, Lee, Nakasone and Taniguchi.

SCRep. 1394 Education and Labor and Public Employment on H.C.R. No. 376

The purpose of this concurrent resolution is to request that the Department of Education ensure that each school has a minimum of one full-time clerical position in addition to the school administrative services assistant.

Testimony in strong support of this concurrent resolution was heard from the Department of Education and the Hawaii Government Employees Association.

As affirmed by the records of votes of the members of your Committees on Education and Labor and Public Employment that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 376 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Alcon, Apo, Arakaki, Duldulao, Hagino, M. Ige, Lee, Nakasone and Taniguchi.

SCRep. 1395 Education and Hawaiian Affairs on H.R. No. 331

The purpose of this resolution is to request the Department of Education and the Department of Accounting and General Services to submit a report that determines the feasibility and costs of providing bus transportation for students participating in the Hawaiian Language Immersion Program.

Your Committees heard testimony from the Department of Education and the Department of Accounting and General Services.

Upon consideration, your Committees have amended this resolution by:

- (1) Specifying that the Departments look at providing alternate transportation assistance such as offering standard bus transportation, a student pick-up location, or cost subsidies.
- (2) Including the Office of Hawaiian Affairs when discussing alternate transportation programs.

As affirmed by the records of votes of the members of your Committees on Education and Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 331, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 331, H.D. 1.

Signed by all members of the Committees except Representatives Apo, Arakaki, Duldulao, Hagino, M. Ige, Ihara, Lee and Taniguchi.

SCRep. 1396 Education and Hawaiian Affairs on H.C.R. No. 356

The purpose of this concurrent resolution is to request the Department of Education and the Department of Accounting and General Services to submit a report that determines the feasibility and costs of providing bus transportation for students participating in the Hawaiian Language Immersion Program.

Your Committees heard testimony from the Department of Education and the Department of Accounting and General Services.

Upon consideration, your Committees have amended this concurrent resolution by:

- (1) Specifying that the Departments look at providing alternate transportation assistance such as offering standard bus transportation, a student pick-up location or cost subsidies.
- (2) Including the Office of Hawaiian Affairs when discussing alternate transportation programs.

As affirmed by the records of votes of the members of your Committees on Education and Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 356, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 356, H.D. 1.

Signed by all members of the Committees except Representatives Apo, Arakaki, Duldulao, Hagino, M. Ige, Ihara, Lee and Taniguchi.

SCRep. 1397 Education on H.R. No. 89

The purpose of this resolution is to request the Department of Education to conduct a study to determine the availability, scope of service, and cost involved in operating early morning child care programs in suburban and rural Oahu.

Testimony was received by the Department of Education in support of this resolution as such a need exists and such a study has not been accomplished previously.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 89 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Apo, Chumbley, Hagino, M. Ige, Isbell, Lee and Taniguchi.

SCRep. 1398 Education on H.C.R. No. 90

The purpose of this concurrent resolution is to request the Department of Education to conduct a study to determine the availability, scope of service, and cost involved in operating early morning child care programs in suburban and rural Oahu.

Testimony was received by the Department of Education in support of this resolution as such a need exists and such a study has not been accomplished previously.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 90 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Apo, Chumbley, Hagino, M. Ige, Isbell, Lee and Taniguchi.

SCRep. 1399 Education on H.R. No. 361

The purpose of this resolution is to urge the Board of Education to continue the year-round pilot project at the Waihee School on Maui.

Your Committee received testimony in support of the resolution from the Principal of the Waihee School, the President of the Waihee School Parent-Teacher's Association, the SCBM Chair at the Waihee School, several teachers at the Waihee School, parents of children in the Waihee School, and a concerned citizen.

Testifying in opposition to the resolution, the Department of Education (DOE) stated that the Waihee School pilot project, while supported by the community, is very expensive. In particular, the free intersession programs have cost \$667,128 over the past four years. The DOE believes the intersession programs can be funded from student fees or other private and public sector community resources.

Upon consideration, your Committee has amended the resolution by:

- (1) Expressing the Legislature's support for the Waihee School year-round pilot project;
- (2) Requesting the DOE to continue the Waihee School year-round pilot project with decreased funding for the intersession programs;
- (3) Requesting the DOE to consider comprehensive methods of assessing student and school achievement other than test scores, such as increased social interaction or greater retention; and
- (4) Making other technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 361, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 361, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Chumbley, Hagino, M. Ige, Isbell, Lee and Taniguchi.

SCRep. 1400 Education on H.C.R. No. 400

The purpose of this concurrent resolution is to urge the Board of Education to continue the year-round pilot project at the Waihee School on Maui.

Your Committee received testimony in support of the concurrent resolution from the Principal of the Waihee School, the President of the Waihee School Parent-Teacher's Association, the SCBM Chair at the Waihee School, several teachers at the Waihee School, parents of children in the Waihee School, and a concerned citizen.

Testifying in opposition to the concurrent resolution, the Department of Education (DOE) stated that the Waihee School pilot project, while supported by the community, is very expensive. In particular, the free intersession programs have cost \$667,128 over the past four years. The DOE believes the intersession programs can be funded from student fees or other private and public sector community resources.

Upon consideration, your Committee has amended the concurrent resolution by:

- (1) Expressing the Legislature's support for the Waihee School year-round pilot project;
- (2) Requesting the DOE to continue the Waihee School year-round pilot project with decreased direct funding for the intersession programs;
- (3) Requesting the DOE to consider comprehensive methods of assessing student and school achievement other than test scores, such as increased social interaction or greater retention; and
- (4) Making other technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 400, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 400, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Chumbley, Hagino, M. Ige, Isbell, Lee and Taniguchi.

SCRep. 1401 Education on H.R. No. 238

The purpose of this resolution is to request the Board of Education to identify and evaluate all alternatives to compulsory education.

Testimony was received by the Board of Education stating that the Department did not believe a study of alternatives to compulsory education is necessary. The basic tenet supporting compulsory education is still valid. In discussion it became clear that the issue that needed to be addressed was a comprehensive program and strategy for alienated and at risk students. Your Committee amended the resolution by:

- (1) Requesting the Board of Education assess the current programs and develop a more comprehensive plan to meet the needs of alienated and at-risk students statewide.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 238, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 238, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Chumbley, Hagino, M. Ige, Isbell, Lee and Taniguchi.

SCRep. 1402 Education on H.C.R. No. 243

The purpose of this concurrent resolution is to request the Board of Education to identify and evaluate all alternatives to compulsory education.

Testimony was received by the Board of Education stating that the Department did not believe a study of alternatives to compulsory education is necessary. The basic tenet supporting compulsory education is still valid. In discussion, it became clear that the issue that needed to be addressed was a comprehensive program and strategy for alienated and at risk students. Your Committee amended the concurrent resolution by:

- (1) Requesting the Board of Education assess the current programs and develop a more comprehensive plan to meet the needs of alienated and at-risk students statewide.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 243, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 243, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Chumbley, Hagino, M. Ige, Isbell, Lee and Taniguchi.

SCRep. 1403 Education on H.C.R. No. 365

The purpose of this concurrent resolution is to request the establishment of an advertising campaign to promote active participation of parents and community members in reforming the State's public educational system.

Testimony was heard in support of this concurrent resolution by the State Department of Education and the Hawaii State PTSA. Your Committee agrees that a public information program rather than an advertising campaign would be appropriate and has amended the concurrent resolution by:

- (1) Changing advertising to public information program; and
- (2) Including public and private partnerships as a funding mechanism.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 365, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 365, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Chumbley, Hagino, M. Ige, Isbell, Lee and Taniguchi.

SCRep. 1404 Agriculture and Water and Land Use Planning on H.C.R. No. 484

The purpose of this concurrent resolution is to request the Department of Agriculture to acquire portions of lands at Barbers Point Naval Air Station adjacent to Campbell Industrial Park to establish a livestock agricultural park.

In supporting this measure, the representative from Fred L. Waldron, Ltd., testified that the establishment of a livestock agricultural park at the Barbers Point site would allow multiple livestock activities such as poultry, swine, and dairy to coexist, as well as enhance the operational efficiency of farms with regard to feeding supplies, waste management, and value added processing of livestock products.

The Department of Agriculture testified that it was unable to support this measure as presently drafted.

As affirmed by the records of votes of the members of your Committees on Agriculture and Water and Land Use Planning that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 484, and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Ishii-Morikami, Kanoho and Tam.

SCRep. 1405 Agriculture and Transportation on H.C.R. No. 197

The purpose of this concurrent resolution is to request all commercial airlines disembarking passengers in Hawaii to:

- (1) Show the Hawaii agricultural videotape, which explains the State's plant and non-domestic animal quarantine laws; or
- (2) Develop Hawaii arrival videotapes incorporating the important points of the agricultural videotape.

Your Committees agree that increased effort must be exerted by all facets of the travel industry, including the Department of Agriculture; the Department of Transportation; the Department of Business, Economic Development, and Tourism; Hawaii Visitors Bureau; and commercial and non-commercial airlines to prevent and minimize the import and export of plants and animals that are illegal in the State. This education effort requires the cooperation and participation by the public and private sectors to inform and familiarize the public about the import and export laws governing the State, as well as the importance of completing and turning in the State's Plants and Animals Declaration Form upon disembarking in Hawaii.

The DOA and the Conservation Council for Hawaii testified in strong support of this measure.

Upon consideration, your Committees have amended this concurrent resolution by requesting that the Director of Transportation; the Director of Business, Economic Development, and Tourism; the President of the Hawaii Visitors Bureau; and the Chairperson of the Airport Operators Committee also receive a certified copy of this concurrent resolution.

As affirmed by the records of votes of the members of your Committees on Agriculture and Transportation that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 197, as amended herein, and recommend that it be referred to the Committee on Judiciary in the form attached hereto as H.C.R. No. 197, H.D. 1.

Signed by all members of the Committees except Representatives Hagino, Suzuki, Tam and Marumoto.

SCRep. 1406 Legislative Management on H.C.R. No. 423

The purpose of this concurrent resolution is to request that the Legislative Auditor conduct a study on emergency budget and stabilization ("rainy day") funds that includes:

- (1) An analysis of the purpose, type, use, management, structure, and size of "rainy day" funds in other states;
- (2) An evaluation of the effectiveness of "rainy day" funds in other states; and
- (3) Specific recommendations on establishing a "rainy day" fund in Hawaii.

The Department of Budget and Finance submitted comments on the concurrent resolution.

Your Committee believes that establishing a "rainy day" fund in Hawaii would help maintain economic stability in the face of unexpected revenue shortfalls, cutbacks in federal funding, natural disasters, and other circumstances for which it is extremely difficult, if not impossible, to plan. If such a fund had been implemented in times of prosperity, as the state House of Representatives has consistently advocated, the current fiscal crisis may have been much less severe.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 423 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ihara, Souki, Young and Thielen.

SCRep. 1407 Water and Land Use Planning on H.R. No. 428

The purpose of this resolution is to mitigate adverse social and economic impacts on the states and communities caused by the closure, realignment, or down-sizing of military bases by the United States. The resolution requests that Congress give states and communities affected by the closures, the right of first refusal of the title to those military lands and structures involved, and that title be transferred at no cost to the community or state.

The American Friends Service Committee (AFSC), Hawai'i Green Party (Green Party), the Kamehameha Schools/Bishop Estate (Bishop Estate), and a private citizen testified in favor of the resolution.

The AFSC testified that the resolution was part of a necessary and inevitable redirection of government resources, and a valuable first step in developing constructive national policy for conversion of surplus military land holdings that would maximize public benefit and minimize profiteering. While in agreement with the sentiment expressed in the reference to "carpetbaggers," the AFSC requested that the reference be deleted because Quaker tradition required the AFSC refrain from the denigration of individuals or groups, regardless of their actions. The AFSC noted that under the resolution, lands acquired, maintained, and improved by public funds would be returned to the State, the official body elected to represent those who have been investors in the lands.

The Bishop Estate testified that it believed the original landowner from which the property was condemned should be given the right of first refusal to regain lands affected by closure of military bases. Bishop Estate stated that in many situations it did not want to lose fee title to its properties and was forced to relinquish its possession through the exercise of the federal eminent domain powers.

A private citizen requested that the resolution be amended to ask the federal government to return military lands to the indigenous people of Hawaii because the nation and lands of the nation of Hawaii were illegally acquired by the United States by force of arms.

Your Committee agrees with the intent of the resolution and believes that it is the necessary first step toward proactive planning that addresses the future impact of military closures on the State, and that would allow continuation of public use of these military lands in a manner that would mitigate the harm to, and benefit all affected communities. Your Committee recognizes that the resolution is but the first step in a long process, and that the concerns of all parties regarding the proper use and disposition of these properties will be most appropriately addressed as dialogue between the State and federal government develops.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 428 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Bainum, Tajiri and Thielen.

SCRep. 1408 Water and Land Use Planning on H.C.R. No. 467

The purpose of this concurrent resolution is to mitigate adverse social and economic impacts on the states and communities caused by the closure, realignment, or down-sizing of military bases by the United States. The concurrent resolution requests that Congress give states and communities affected by the closures, the right of first refusal of the title to those military lands and structures involved, and that title be transferred at no cost to the community or state.

The American Friends Service Committee (AFSC), Hawai'i Green Party (Green Party), the Kamehameha Schools/Bishop Estate (Bishop Estate), and a private citizen testified in favor of the concurrent resolution.

The AFSC testified that the concurrent resolution was part of a necessary and inevitable redirection of government resources, and a valuable first step in developing constructive national policy for conversion of surplus military land holdings that would maximize public benefit and minimize profiteering. While in agreement with the sentiment expressed in the reference to "carpetbaggers," the AFSC requested that the reference be deleted because Quaker tradition required the AFSC refrain from the denigration of individuals or groups, regardless of their actions. The AFSC noted that under the concurrent resolution, lands acquired, maintained, and improved by public funds would be returned to the State, the official body elected to represent those who have been investors in the lands.

The Bishop Estate testified that it believed the original landowner from which the property was condemned should be given the right of first refusal to regain lands affected by closure of military bases. Bishop Estate stated that in many situations it did not want to lose fee title to its properties and was forced to relinquish its possession through the exercise of the federal eminent domain powers.

A private citizen requested that the concurrent resolution be amended to ask the federal government to return military lands to the indigenous people of Hawaii because the nation and lands of the nation of Hawaii were illegally acquired by the United States by force of arms.

Your Committee agrees with the intent of the concurrent resolution and believes that it is the necessary first step toward proactive planning that addresses the future impact of military closures on the State, and that would allow continuation of public use of these military lands in a manner that would mitigate the harm to, and benefit all affected communities. Your Committee recognizes that the concurrent resolution is but the first step in a long process, and that the concerns of all parties regarding the proper use and disposition of these properties will be most appropriately addressed as dialogue between the State and federal government develops.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 467 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Bainum, Tajiri and Thielen.

SCRep. 1409 Water and Land Use Planning and Energy and Environmental Protection on H.R. No. 181

The purpose of this resolution is to request the Board of Land and Natural Resources to accommodate the needs and interests of hunters in developing strategies to manage pig populations in the Laupahoehoe Natural Area Reserve.

Your Committees find the Laupahoehoe reserve to be one of the limited number of hunting areas available to hunters, for whom feral pig hunting is a tradition practiced for generations, and upon which they depend as a significant food source for their families. The hunters' reliance on the Laupahoehoe Reserve as a food source for their families has greatly increase because of the closure of Hamakua Sugar Company and Hilo Coast Processing Company, both of which are located, along with the reserve, on the north east shore of the island of Hawaii;

Your Committees agree that in order for this resolution to be successful in the protection, management, and utilization of our valuable forest resource, the State is requested to hear and accommodate the interests and concerns of all of Hawaii's people, especially those who are directly affected by management decisions.

Your Committees upon further consideration, have amended this resolution to provided the Department of Land and Natural Resources more flexibility and still protect against any new action being taken prior to the concerns being fully heard.

As affirmed by the records of votes of the members of your Committees on Water and Land Use Planning and Energy and Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 181, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 181, H.D. 1.

Signed by all members of the Committees except Representatives Hiraki, Hirono and Kanoho.

SCRep. 1410 Water and Land Use Planning and Energy and Environmental Protection on H.C.R. No. 185

The purpose of this concurrent resolution is to request the Board of Land and Natural Resources to accommodate the needs and interests of hunters in developing strategies to manage pig populations in the Laupahoehoe Natural Area Reserve.

Your Committees find the Laupahoehoe reserve to be one of the limited number of hunting areas available to hunters, for whom feral pig hunting is a tradition practiced for generations, and upon which they depend as a significant food source for their families. The hunters' reliance on the Laupahoehoe Reserve as a food source for their families has greatly increase because of the closure of Hamakua Sugar Company and Hilo Coast Processing Company, both of which are located, along with the reserve, on the north east shore of the island of Hawaii;

Your Committees agree that in order for this concurrent resolution to be successful in the protection, management, and utilization of our valuable forest resource, the State is requested to hear and accommodate the interests and concerns of all of Hawaii's people, especially those who are directly affected by management decisions.

Your Committees upon further consideration, have amended this concurrent resolution to provided the Department of Land and Natural Resources more flexibility and still protect against any new action being taken prior to the concerns being fully heard.

As affirmed by the records of votes of the members of your Committees on Water and Land Use Planning and Energy and Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 185, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 185, H.D. 1.

Signed by all members of the Committees except Representatives Hiraki, Hirono and Kanoho.

SCRep. 1411 Water and Land Use Planning and Energy and Environmental Protection on H.R. No. 179

The purpose of this resolution is to request the Department of Land and Natural Resources to hold facilitated public informational meetings concerning the facilitation of management objectives and activities in the Puu O Umi Natural Area Reserve and Kohala Forest Reserve.

The Department of Land and Natural Resources testified that the natural area management and restoration programs are often complex, requiring a long-term perspective and commitment to achieve visible results. The Department recognizes the need for increased communication between state managers and local community members and welcomes the opportunity to achieve it.

A resident of the Island of Hawaii, came forward not as hunter, but as a Hawaiian educator, a kumu hula, a Hawaiian mother, and a "Keeper of the Culture" to testify that from generation to generation the use of the forest has been both cultural and traditional and through better communication we will begin the process that shall insure both the preservation of the culture and the conservation of the forest.

Your Committees received favorable testimonies from the Department of Land and Natural Resources, ILWU, Local 142, a representative of various community organizations, and a representative from the hunting community.

The purpose of H.R. 178 and H.R. 179 are the same and they both relate to reserve systems in the Kohala area of the Big Island, therefore, your Committees have amended this resolution to incorporate all references to Waimanu reserve in H.R. 178 to H.R. 179.

Your Committees have also amended the title of this resolution to read, "REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES HOLD FACILITATED PUBLIC INFORMATION MEETINGS CONCERNING FACILITATED MANAGEMENT OBJECTIVES AND ACTIVITIES IN THE PUU O UMI NATURAL AREA RESERVE, THE KOHALA FOREST RESERVE, AND THE WAIMANU VALLEY NATIONAL ESTUARINE RESEARCH RESERVE."

As affirmed by the records of votes of the members of your Committees on Water and Land Use Planning and Energy and Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 179, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 179, H.D. 1.

Signed by all members of the Committees except Representatives Hiraki, Hirono, Kanoho and Tajiri.

SCRep. 1412 Water and Land Use Planning and Energy and Environmental Protection on H.C.R. No. 183

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources to hold facilitated public informational meetings concerning the facilitation of management objectives and activities in the Puu O Umi Natural Area Reserve and Kohala Forest Reserve.

The Department of Land and Natural Resources testified that the natural area management and restoration programs are often complex, requiring a long-term perspective and commitment to achieve visible results. The Department recognizes the need for increased communication between state managers and local community members and welcomes the opportunity to achieve it.

A resident of the Island of Hawaii, came forward not as hunter, but as a Hawaiian educator, a kumu hula, a Hawaiian mother, and a "Keeper of the Culture" to testify that from generation to generation the use of the forest has been both cultural and traditional and through better communication we will begin the process that shall insure both the preservation of the culture and the conservation of the forest.

Your Committees received favorable testimonies from the Department of Land and Natural Resources, ILWU, Local 142, a representative of various community organizations, and a representative from the hunting community.

The purpose of H.C.R. 182 and H.C.R. 183 are the same and they both relate to reserve systems in the Kohala area of the Big Island, therefore, your Committees have amended this concurrent resolution to incorporate all references to Waimanu reserve in H.C.R. 182 to H.C.R. 183.

Your Committees have also amended the title of this concurrent resolution to read, "REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES HOLD FACILITATED PUBLIC INFORMATION MEETINGS CONCERNING FACILITATED MANAGEMENT OBJECTIVES AND ACTIVITIES IN THE PUU O UMI NATURAL

AREA RESERVE, THE KOHALA FOREST RESERVE, AND THE WAIMANU VALLEY NATIONAL ESTUARINE RESEARCH RESERVE."

As affirmed by the records of votes of the members of your Committees on Water and Land Use Planning and Energy and Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 183, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 183, H.D. 1.

Signed by all members of the Committees except Representatives Hiraki, Hirono, Kanoho and Tajiri.

SCRep. 1413 Water and Land Use Planning and Energy and Environmental Protection on H.R. No. 180

The purpose of this resolution is to request the Governor to appoint to the Hawaii Tropical Forest Recovery Task Force a person who will represent the interest of hunters.

Your Committees find that feral pig hunting to be a traditional Hawaiian practice and use of the rain forest, as well as an important source of food for the families of hunters living on the island of Hawaii, many of whom have lost their primary source of livelihood due to the closing of Hamakua Sugar Company and the phase out of the sugar operation in Hilo Coast Processing Company.

The protection and management of Hawaii's tropical forests will only be successful if the interests and concerns of those who will be directly affected by plans developed under the Hawaii Tropical Forest Recovery Act are consulted, and their interests and concerns, represented in the planning process.

Your Committees received favorable testimonies from the Department of Land and Natural Resources, ILWU, Local 142, a citizen representing various community organizations, and a representative from the hunting community.

Your Committees find the Governor's selection of the six members to the Hawaii Tropical Recovery Task Force to have been completed. Therefore, in the event a vacancy occurs, your Committees have amended this resolution to strongly recommend the Governor to appoint a new member who is familiar with the practice of, and traditions associated with hunting.

Your Committees have further amended this resolution that certified copies of this resolution be transmitted to the current members of the Hawaii Tropical Recovery Task Force.

As affirmed by the records of votes of the members of your Committees on Water and Land Use Planning and Energy and Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 180, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 180, H.D. 1.

Signed by all members of the Committees except Representatives Hiraki, Hirono, Kanoho and Tajiri.

SCRep. 1414 Water and Land Use Planning and Energy and Environmental Protection on H.C.R. No. 184

The purpose of this concurrent resolution is to request the Governor to appoint to the Hawaii Tropical Forest Recovery Task Force a person who will represent the interest of hunters.

Your Committees find that feral pig hunting to be a traditional Hawaiian practice and use of the rain forest, as well as an important source of food for the families of hunters living on the island of Hawaii, many of whom have lost their primary source of livelihood due to the closing of Hamakua Sugar Company and the phase out of the sugar operation in Hilo Coast Processing Company.

The protection and management of Hawaii's tropical forests will only be successful if the interests and concerns of those who will be directly affected by plans developed under the Hawaii Tropical Forest Recovery Act are consulted, and their interests and concerns, represented in the planning process.

Your Committees received favorable testimonies from the Department of Land and Natural Resources, ILWU, Local 142, a citizen representing various community organizations, and a representative from the hunting community.

Your Committees find the Governor's selection of the six members to the Hawaii Tropical Recovery Task Force to have been completed. Therefore, in the event a vacancy occurs, your Committees have amended this concurrent resolution to strongly recommend the Governor to appoint a new member who is familiar with the practice of, and traditions associated with hunting.

Your Committees have further amended this concurrent resolution that certified copies of this concurrent resolution be transmitted to the current members of the Hawaii Tropical Recovery Task Force.

As affirmed by the records of votes of the members of your Committees on Water and Land Use Planning and Energy and Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 184, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 184, H.D. 1.

Signed by all members of the Committees except Representatives Hiraki, Hirono, Kanoho and Tajiri.

SCRep. 1415 Water and Land Use Planning and Intergovernmental Relations and International Affairs on H.R. No. 344

The purpose of this resolution is to request the Chairperson of the Board of Land and Natural Resources to coordinate efforts with key State and County of Hawaii agencies as well as appropriate Kohala community organizations for the acquisition of the Coast Guard Loran Station at 'Upolu Point on the Big Island from the federal government.

The Chairperson will work with the other parties to jointly determine the appropriate:

- (1) Community use or uses for the facilities; and
- (2) Agency/organization that can most effectively pursue local acquisition of the facilities.

A resident from the North Kohala area representing several community organization testified that the facility would have numerous benefits such as:

- (1) Providing a place for community meetings;
- (2) Providing a reasonably-priced conference/meeting facility for West Hawaii;
- (3) Involving the community in both providing jobs and opportunities in the maintenance of the facility;
- (4) Bringing new educational and recreational opportunities to Kohala's isolated rural community;
- (5) Allowing the continuation of public fishing rights that have previously been supported by the Coast Guard;
- (6) Providing maintenance and security to prevent any further deterioration of the existing facility; and
- (7) Providing a complementary and respectful accompaniment to the educational and preservation activities of the nearby historic sites of Mo'okini Luakini Heiau and the birthsite of Kamehameha I and also providing for a wayside stop for hikers on the Ala Kahakai.

The Bishop Estate testified that it believed the original landowner from which the property was condemned should be given the right of first refusal to regain the land affected by closure. Bishop Estate stated that in many situations it did not want to lose fee title to its properties and was forced to relinquish its possession through the exercise of the federal eminent domain powers.

Your Committees are not inclined to agree with the position taken by Bishop Estate at this time. A better course would be to pursue discussions whereby potential public purposes for the facility can be identified. The issue of ownership can be addressed in this context.

Your Committees received testimonies from Bishop Estate, the Department of Land and Natural Resources, Citizens for Protection of the North Kohala Coastline, Big Island Health Related Services, the Kohala Foundation, Inc., the Aikane Nursery, and various residents from the North Kohala area.

Your Committees have amended this resolution to include Bishop Estate and the Hawaii Congressional Delegation in the coordinated efforts.

As affirmed by the records of votes of the members of your Committees on Water and Land Use Planning and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 344, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 344, H.D. 1.

Signed by all members of the Committees except Representatives Alcon, Bainum, Hagino, Thielen and Ward.

SCRep. 1416 Water and Land Use Planning and Intergovernmental Relations and International Affairs on H.C.R. No. 377

The purpose of this concurrent resolution is to request the Chairperson of the Board of Land and Natural Resources to coordinate efforts with key State and County of Hawaii agencies as well as appropriate Kohala community organizations for the acquisition of the Coast Guard Loran Station at 'Upolu Point on the Big Island from the federal government.

The Chairperson will work with the other parties to jointly determine the appropriate:

- (1) Community use or uses for the facilities; and
- (2) Agency/organization that can most effectively pursue local acquisition of the facilities.

A resident from the North Kohala area representing several community organization testified that the facility would have numerous benefits such as:

- (1) Providing a place for community meetings;
- (2) Providing a reasonably-priced conference/meeting facility for West Hawaii;

- (3) Involving the community in both providing jobs and opportunities in the maintenance of the facility;
- (4) Bringing new educational and recreational opportunities to Kohala's isolated rural community;
- (5) Allowing the continuation of public fishing rights that have previously been supported by the Coast Guard;
- (6) Providing maintenance and security to prevent any further deterioration of the existing facility; and
- (7) Providing a complementary and respectful accompaniment to the educational and preservation activities of the nearby historic sites of Mo'okini Luakini Heiau and the birthsite of Kamehameha I and also providing for a wayside stop for hikers on the Ala Kahakai.

The Bishop Estate testified that it believed the original landowner from which the property was condemned should be given the right of first refusal to regain the land affected by closure. Bishop Estate stated that in many situations it did not want to lose fee title to its properties and was forced to relinquish its possession through the exercise of the federal eminent domain powers.

Your Committees are not inclined to agree with the position taken by Bishop Estate at this time. A better course would be to pursue discussions whereby potential public purposes for the facility can be identified. The issue of ownership can be addressed in this context.

Your Committees received testimonies from Bishop Estate, the Department of Land and Natural Resources, Citizens for Protection of the North Kohala Coastline, Big Island Health Related Services, the Kohala Foundation, Inc., the Aikane Nursery, and various residents from the North Kohala area.

Your Committees have amended this concurrent resolution to include Bishop Estate and the Hawaii Congressional Delegation in the coordinated efforts.

As affirmed by the records of votes of the members of your Committees on Water and Land Use Planning and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 377, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 377, H.D. 1.

Signed by all members of the Committees except Representatives Alcon, Bainum, Hagino, Thielen and Ward.

SCRep. 1417 Water and Land Use Planning and Agriculture on H.R. No. 188

The purpose of this resolution is to request that state and county agencies be sensitive to agricultural operations in Keahole Agricultural Park when preparing and reviewing the planning and subsequent zoning changes for areas adjacent to or near the agricultural park.

Testimony in support of the resolution was received from the Board of Agriculture and the Hawaii Farm Bureau. Additional testimony received from the Office of State Planning and the Department of Land and Natural Resources posed no objections to the passage of the measure.

Your Committees recognize that the Keahole Agricultural Park in West Hawaii was developed to promote and encourage the growth of diversified agriculture on State lands. Sensitivity to the existing agricultural operation is essential during discussions of any long-range plans for the expansion of the Keahole Agricultural Park and the potential conflicts that may arise between farming and urban uses of the land.

As affirmed by the records of votes of the members of your Committees on Water & Land Use Planning and Agriculture that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 188 and recommend that it be referred to the Committee on Intergovernmental Relations and International Affairs.

Signed by all members of the Committees except Representatives Ishii-Morikami, Tajiri, Tam and Thielen.

SCRep. 1418 Water and Land Use Planning and Agriculture on H.C.R. No. 192

The purpose of this concurrent resolution is to request that state and county agencies be sensitive to agricultural operations in Keahole Agricultural Park when preparing and reviewing the planning and subsequent zoning changes for areas adjacent to or near the agricultural park.

Testimony in support of the resolution was received from the Board of Agriculture and the Hawaii Farm Bureau. Additional testimony received from the Office of State Planning and the Department of Land and Natural Resources posed no objections to the passage of the measure.

Your Committees recognize that the Keahole Agricultural Park in West Hawaii was developed to promote and encourage the growth of diversified agriculture on State lands. Sensitivity to the existing agricultural operation is essential during discussions of any long-range plans for the expansion of the Keahole Agricultural Park and the potential conflicts that may arise between farming and urban uses of the land.

As affirmed by the records of votes of the members of your Committees on Water & Land Use Planning and Agriculture that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 192 and recommend that it be referred to the Committee on Intergovernmental Relations and International Affairs.

Signed by all members of the Committees except Representatives Ishii-Morikami, Tajiri, Tam and Thielen.

SCRep. 1419 Consumer Protection and Commerce on H.C.R. No. 46

The purpose of this concurrent resolution is to request the Public Utilities Commission (PUC) to retain an independent consultant to review the relationship between Hawaiian Electric Industries (HEI) and Hawaiian Electric Company (HECO) and determine the impact, if any, that HEI has on the electric utility companies and their customers. The independent consultant is also requested to review the conditions set forth by the PUC to determine whether HEI and HECO have complied with the terms of the restructuring agreement.

Your Committee received testimony from the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs and Hawaiian Electric Company, Inc. in support of the intent of this concurrent resolution.

Your Committee finds that the relationship between HEI and HECO is governed by a 24-point agreement between HECO and the Public Utilities Commission. The agreement severely limits the nature of transactions between HECO and its parent company, HEI.

In addition, your Committee has learned that the resolution parallels what is currently being carried out by the PUC in Docket No. 7591, including the use of an independent consultant. Your Committee understands that this review is a means of putting to rest a variety of concerns and misconceptions in the community.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 46, and recommends its adoption.

Signed by all members of the Committee except Representatives Hiraki, Menor, Peters, Takamine and Tom.

SCRep. 1420 Education on H.C.R. No. 87

The purpose of this concurrent resolution is to request the Board of Education (BOE) to re-name the Hawaii State Library in honor and memory of Samuel Manaiakalani Kamakau.

Testifying in opposition to the concurrent resolution, the State Librarian noted the State's tradition of naming libraries after the places in which they are situated, and not after individuals. The State Librarian added that there is precedent, however, for naming particular library rooms after individuals.

Upon consideration, your Committee amended the concurrent resolution by:

- (1) Asking the Board of Education to consider naming a public area within the Hawaii State Library after Samuel Kamakau;
- (2) Requesting the BOE to obtain community input on naming a public area in the State Library after Samuel Kamakau;
- (3) Changing the title of the concurrent resolution to correspond with the above amendments; and
- (4) Making other technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 87, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 87, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Chumbley, Hagino, M. Ige, Isbell, Lee and Taniguchi.

SCRep. 1421 Education on H.R. No. 85

The purpose of this resolution is to request the Board of Education (BOE) to re-name the Hawaii State Library in honor and memory of Samuel Manaiakalani Kamakau.

Testifying in opposition to the resolution, the State Librarian noted the State's tradition of naming libraries after the places in which they are situated, and not after individuals. The State Librarian added that there is precedent, however, for naming particular library rooms after individuals.

Upon consideration, your Committee amended the resolution by:

- (1) Asking the Board of Education to consider naming a public area within the Hawaii State Library after Samuel Kamakau;
- (2) Requesting the BOE to obtain community input on naming a public area in the State Library after Samuel Kamakau;

- (3) Changing the title of the resolution to correspond with the above amendments; and
- (4) Making other technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 85, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 85, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Chumbley, Hagino, M. Ige, Isbell, Lee and Taniguchi.

SCRep. 1422 Education on H.C.R. No. 189

The purpose of this concurrent resolution is to request that the Governor declare one week in the month of October as "State of Hawaii Aviation Education Week".

Testimony in support of this concurrent resolution was heard from the Hawaiian Historical Aviation Foundation, Inc. and members of the public.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 189 and recommends its adoption.

Signed by all members of the Committee except Representatives Apo, Arakaki, Duldulao, M. Ige and Lee.

SCRep. 1423 Education on H.R. No. 185

The purpose of this resolution is to request that the Governor declare one week in the month of October as "State of Hawaii Aviation Education Week".

Testimony in support of this resolution was heard from the Hawaiian Historical Aviation Foundation, Inc. and members of the public.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 185 and recommends its adoption.

Signed by all members of the Committee except Representatives Apo, Arakaki, Duldulao, M. Ige and Lee.

SCRep. 1424 Legislative Management on H.C.R. No. 385

The purposes of this concurrent resolution are to propose that Hawaii accept the invitation to join the Pacific Fisheries Legislative Task Force and to resolve that two State senators and two State representatives be appointed to serve as members.

Your Committee finds that the Pacific Fisheries Task Force, made up of state legislators from Alaska, California, Idaho, Oregon, and Washington, operates as a clearinghouse for opinions from all the various interests involved in Pacific fishing and prepares reports to the legislatures of the participating jurisdictions and to the state delegations in the United States Congress concerning possible means of protecting and fostering Pacific fishing. The Task Force is involved in areas of particular interest to Hawaii including the federal ban on tributyltin, a toxic compound used in marine bottom paints; advocating safe oil transshipments; and opposing driftnet fishing.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 385, H.D. 1 and recommends its adoption.

Signed by all members of the Committee except Representatives Ihara, Souki, Young and Thielen.

SCRep. 1425 Legislative Management on H.C.R. No. 333

The purpose of this concurrent resolution is to establish a State Office of Public Insurance Counsel to protect the interests of insurance consumers. This concurrent resolution requests the Auditor to:

- (1) Study the feasibility of establishing an Office of Public Insurance Counsel;
- (2) Identify and analyze consumer needs, the extent to which existing statutes and rules do not provide for those needs, and alternatives to current statutes and rules that would satisfy the needs of insurance consumers; and
- (3) Survey other states that have established similar agencies.

The Hawaii State Chiropractic Association submitted testimony in support of this concurrent resolution. Testimony in opposition to this measure was submitted by the Hawaii Insurers Council.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 333, H.D. 1 and recommends its adoption.

Signed by all members of the Committee except Representatives Ihara, Souki, Young and Thielen.

SCRep. 1426 Legislative Management on H.C.R. No. 314

The purpose of this concurrent resolution is to request the Auditor to evaluate State and County compliance with sections 103-50 and 103-50.5, Hawaii Revised Statutes, that relate to designing buildings and facilities to accommodate persons with physical disabilities. The Auditor is also asked to make recommendations relating to the enforcement of plan reviews and variance processes, the enactment of laws, and the establishment of procedures to ensure accessibility within state and county buildings.

Testimony in support of this measure was received from the Architectural Access Committee, the Commission on Persons with Disabilities, the Hawaii Centers for Independent Living, and the Kokua Council for Senior Citizens.

Your Committee finds that although the Legislature has passed laws which require public facilities to be accessible to persons with disabilities, total compliance with review and variance processes has not been realized. Furthermore, neither the Commission on Persons with Disabilities nor the Architectural Access Committee has statutory authority to enforce such compliance thereby rendering the laws ineffectual.

This concurrent resolution has been amended by:

- (1) Requesting the State Auditor to assess compliance procedures and propose enforcement mechanisms;
- (2) Revising the title to read:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO ASSESS AND PROPOSE ENFORCEMENT PROCEDURES FOR STATE AND COUNTY COMPLIANCE WITH UNIFORM FEDERAL ACCESSIBILITY STANDARDS AS MANDATED BY SECTIONS 103-50 AND 103-50.5, HAWAII REVISED STATUTES, AND THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES"; and
- (3) Making technical, non-substantive changes for the purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 314, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 314, H.D. 2.

Signed by all members of the Committee except Representatives Ihara, Souki, Young and Thielen.

SCRep. 1427 Legislative Management on H.C.R. No. 294

The purpose of this concurrent resolution is to request the Legislative Auditor to conduct a comprehensive review of Hawaii's homeowners' insurance industry to determine ways of lowering the costs of premiums for consumers and lessening the detrimental impact on the state's insurance industry, lending institutions, and economy.

More specifically, the Legislative Auditor's report is to include the following:

- (1) An assessment of the impact of property damage claims attributed to Hurricane Iniki and the lack of reinsurance on current and future premiums for homeowners' insurance;
- (2) An analysis of the impact of the unavailability of homeowners' insurance on the issuance of mortgage loans;
- (3) Possible methods for reducing the costs of homeowners' insurance premiums;
- (4) An analysis of the impact of additional taxes, additional insurer assessment fees, the issuance of bonds, and increases in premium rates pursuant to the establishment of a statewide hurricane insurance pool on the insurance industry and consumers; and
- (5) Proposed legislation deemed necessary to remedy this situation.

Your Committee finds that the review sought by this concurrent resolution will help the Legislature in making prudent decisions for the viability of the insurance industry as well as for the welfare of the consuming public.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 294 and recommends its adoption.

Signed by all members of the Committee except Representatives Ihara, Souki, Young and Thielen.

SCRep. 1428 Legislative Management on H.C.R. No. 97

The purpose of this concurrent resolution is to fulfill the requirements of the Hawaii Regulatory Licensing Reform Act by requesting the Auditor to study the probable effects of establishing licensure requirements for crane operators.

Testimony in support of this concurrent resolution was submitted by the Department of Labor and Industrial Relations and the Hawaii Operating Engineers Industry Stabilization Fund.

Your Committee finds that there is a need for crane registration and operator licensing to minimize the risk of injuries and fatalities on Hawaii's construction worksites as well as to ensure the welfare and safety of the general public.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 97 and recommends its adoption.

Signed by all members of the Committee except Representatives Ihara, Souki, Young and Thielen.

SCRep. 1429 Legislative Management on H.C.R. No. 5

The purpose of this concurrent resolution is to request the Legislative Auditor to prepare an impact assessment report concerning the possible mandating of health insurance coverage for Pap tests for cervical or vaginal cancer, to comply with the requirements of Section 23-51 of the Hawaii Revised Statutes which state in pertinent part:

"Before any legislative measure that mandates health insurance coverage for specific health services, specific diseases, or for certain providers of health care services as part of individual or group health insurance policies, can be considered, there shall be concurrent resolutions passed requesting the legislative auditor to prepare and submit to the legislature a report that assesses both the social and financial effects of the proposed mandated coverage."

The Hawaii State Commission on the Status of Women and the Department of Health submitted comments in support of this measure. The Department noted that Pap tests have been associated with a dramatic decline in the incidence of cervical cancer, and have become a community standard of care for women's health.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee 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 except Representatives Ihara, Souki, Young and Thielen.

SCRep. 1430 Legislative Management on H.R. No. 329

The purpose of this resolution is to promote greater equity between insurers and consumers with regard to premium rates. Specifically, this resolution would request the Auditor to conduct a study of the rate making procedures under Hawaii's Insurance Code (Article 14, Chapter 431, Hawaii Revised Statutes) for the purpose of ascertaining whether statutory or administrative changes are necessary to provide for more effective control over the setting of rates by insurers.

In supporting this measure, the Hawaii Island Board of Realtors, Inc., testified that there is a need for greater accountability in the insurance industry to ensure the availability and affordability of insurance for the people of Hawaii.

Your Committee believes that the study requested in this resolution will assist the Legislature in determining the effectiveness of Hawaii's insurance rate regulation system in controlling the manipulation of operational expenses, profits, and losses by the insurers so that rate increases are justified and fair to both the insurers and the consuming public.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 329 and recommends its adoption.

Signed by all members of the Committee except Representatives Ihara, Souki, Young and Thielen.

SCRep. 1431 Legislative Management on H.C.R. No. 354

The purpose of this concurrent resolution is to promote greater equity between insurers and consumers with regard to premium rates. Specifically, this concurrent resolution would request the Auditor to conduct a study of the rate making procedures under Hawaii's Insurance Code (Article 14, Chapter 431, Hawaii Revised Statutes) for the purpose of ascertaining whether statutory or administrative changes are necessary to provide for more effective control over the setting of rates by insurers.

In supporting this measure, the Hawaii Island Board of Realtors, Inc., testified that there is a need for greater accountability in the insurance industry to ensure the availability and affordability of insurance for the people of Hawaii.

Your Committee believes that the study requested in this concurrent resolution will assist the Legislature in determining the effectiveness of Hawaii's insurance rate regulation system in controlling the manipulation of operational expenses, profits, and losses by the insurers so that rate increases are justified and fair to both the insurers and the consuming public.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 354 and recommends its adoption.

Signed by all members of the Committee except Representatives Ihara, Souki, Young and Thielen.

SCRep. 1432 Energy and Environmental Protection on H.R. No. 88

The purpose of this resolution is to request the Department of Business, Economic Development, and Tourism (DBEDT) to determine the roles and responsibilities of DBEDT, the Department of Land and Natural Resources (DLNR), the Department of Health, the County of Hawaii, civil defense authorities, and the Public Utilities Commission in geothermal development, and to report the findings and recommendations to the 1994 Legislature.

Testimony in support of this resolution was presented by: The DLNR, DBEDT, Puna Geothermal, the Hawaii Carpenters Union, the Hawaii Island Geothermal Alliance, True Geothermal Energy Company and concerned citizens.

Testimony against this resolution was presented by the Puna Rainforest Alliance and concerned citizens.

Your Committee recognizes that there is a lack of leadership, certainty, and clarity in the roles of various State agencies involved in the oversight of geothermal development. This fragmentation of responsibilities and roles has resulted in confusion and frustration among various sectors of the public. Your Committee hopes that this resolution, which neither supports nor condemns geothermal development, will help establish a clear understanding of which State agencies have jurisdiction over the various processes and determine how the legitimate public interests are being addressed, and who the public can contact.

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 88 and recommends that it be referred to the Committee on Finance.

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

SCRep. 1433 Energy and Environmental Protection and Transportation on H.R. No. 408

The purpose of this resolution as received by your Committees is to extend the life of the Roadside Spray Task Force (RSTF) established by resolution in 1991, and continued by resolution in 1992, for an additional year. The resolution broadens the scope of the RSTF's study to allow the RSTF to continue monitoring of test sites on the Big Island, explore the viability of the recommendations made by the RSTF, and assist state and county agencies in formulating integrated vegetation management plans where feasible.

Your Committees heard testimony by the Department of Transportation, Hawaii Audubon Society, and Department of Agriculture.

As affirmed by the records of votes of the members of your Committees on Energy and Environmental Protection and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of H.R. No. 408 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Hagino, Hirono, Shon, Takamine and Ward.

SCRep. 1434 Energy and Environmental Protection and Water and Land Use Planning on H.R. No. 384

Makua Valley, located on the northwestern shore of the island of Oahu, is bordered along the west by Makua beach and the Kaena Point State Park, and on the south by the growing community of the Waianae District. Abundant archaeological evidence suggests that the Valley was a thriving Hawaiian community. Offshore were choice fishing grounds, and fishing shrines dotted the coastal areas. The valley was ceded along with other lands of the Kingdom of Hawaii to the United States, which subsequently conveyed the valley to the Territory of Hawaii. In 1943 the Territorial government issued a revocable permit allowing the United States to use the valley for military training purposes. On August 15, 1964, pursuant to Section 5(d) of the Admission Act, the United States took title to the upper portion of the valley. Under the same Section, the lower portion of the valley was conveyed to the State of Hawaii, and is currently leased to the United States Army under an agreement providing for public access to beach and shore areas.

The beach and shore areas of Makua Valley are currently used by the public for fishing and recreation, and as recently as September of 1992, the homeless were living in tents and lean-tos on the beach property. Since 1941, the valley has been in continuous use by all branches of the military for disposal of unserviceable ordnance, chemical weapons, and target practice which includes small arms and artillery firing, and helicopter gunnery practice. Presently, waste munitions are either placed in a pit and detonated, or placed on the ground, doused with fuel, and set ablaze. Fires started by military target practice have destroyed acres of forest at elevations at least as high as 1200 feet.

In 1992, the Environmental Protection Agency announced public hearings on an Army application for a permit under the federal Resource Conservation and Recovery Act (RCRA) to operate a hazardous waste treatment facility in the valley to dispose of "unserviceable military ordnance" in volumes up to 1,600 tons a year. The Army did not apply for a permit for its other activities in the valley, which it considered exempt from RCRA. The Army has never been required to submit a state Environmental Impact Statement assessing the effects of its use of the valley on the environment.

Your Committees agree with the intent of H.R. No. 384, which is to focus the attention and energies of the federal and state government on fully assessing public health and safety risks regarding the use of hazardous substances in the Makua Valley, and to ensure that there is strict compliance with all applicable federal as well as state requirements and standards relating thereto. For too long, the military activities in the Makua Valley have gone unexamined, and unregulated. Your Committees are concerned for the growing Waianae Community, which utilizes the lands in the area for agricultural purposes and the ocean waters at the shores of the valley for recreation and fishing. In addition, your Committees recognize that use of the beaches and ocean waters in the area, and consequently the possible adverse impact of the Army's use of hazardous substances, will only increase as the new housing developments and the Ko' Olina hotel in the nearby Ewa District are completed.

Your Committees also believe that greater attention must be paid to the present use of lands that may, in the future, be returned to the State or the Hawaiian people. In that regard, your Committees note the possible archaeological significance of the area, and in addition, that the valley is the home of six species of plants placed on the federal endangered species list, as well as the place where the greatest concentration of another endangered species can be found--the snail, *achatinella mustelina*.

Your Committees are aware that the RCRA permit for which the United States Army (Army) has applied is presently under consideration by the Regional Office of the Environmental Protection Agency (EPA), and that it is possible that additional public hearings will be held on the matter. Your Committees have been informed by a private citizen testifying in support of this resolution that the Army's application is administratively incomplete under federal hazardous waste regulations with respect to three major areas:

- (1) The RCRA Part A Permit Application did not contain the signature of the landowner, i.e., the State of Hawaii;
- (2) The RCRA Part B Permit Application does not adequately explore the applicability of various federal laws, including the National Historic Preservation Act, the Endangered Species Act, and the Coastal Zone Management Program, as required under EPA regulations;
- (3) EPA's draft permit failed to identify or discuss solid waste management units for corrective action, despite the recommendation of EPA's contractor.

Your Committees also note that Environment Hawai'i, a monthly newsletter published in this state, evaluated the Army's permit application and found that it contained inadequate data on soil characteristics, and that the "hydrogeology of the valley is not discussed, so that it is impossible to know whether the underground water sources that may be contaminated by activities at Makua are drawn on elsewhere." It is your Committee's intent that this resolution focus Federal and State attention on these alleged deficiencies, and that the military, as a result, be held to the same environmental standards applied to others applying for RCRA permits.

Although the Board of Land and Natural Resources testified that it did not believe it had a part in either the RCRA permit process or assessment of the environmental impact of the Army's use of the valley, Your Committees believe that the State does have responsibilities with regard to the use of land, as stated above, and requests that the Board explore the extent of its authority under both federal and state law.

Your Committees have made nonsubstantive amendments to the resolution for the purposes of clarity.

As affirmed by the records of votes of the members of your Committees on Energy and Environmental Protection and Water and Land Use Planning that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 384, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 384, H.D. 1.

Signed by all members of the Committees except Representatives Beirne and Hirono.

SCRep. 1435 Energy and Environmental Protection and Water and Land Use Planning on H.C.R. No. 424

Makua Valley, located on the northwestern shore of the island of Oahu, is bordered along the west by Makua beach and the Kaena Point State Park, and on the south by the growing community of the Waianae District. Abundant archaeological evidence suggests that the Valley was a thriving Hawaiian community. Offshore were choice fishing grounds, and fishing shrines dotted the coastal areas. The valley was ceded along with other lands of the Kingdom of Hawaii to the United States, which subsequently conveyed the valley to the Territory of Hawaii. In 1943 the Territorial government issued a revocable permit allowing the United States to use the valley for military training purposes. On August 15, 1964, pursuant to Section 5(d) of the Admission Act, the United States took title to the upper portion of the valley. Under the same Section, the lower portion of the valley was conveyed to the State of Hawaii, and is currently leased to the United States Army under an agreement providing for public access to beach and shore areas.

The beach and shore areas of Makua Valley are currently used by the public for fishing and recreation, and as recently as September of 1992, the homeless were living in tents and lean-tos on the beach property. Since 1941, the valley has been in continuous use by all branches of the military for disposal of unserviceable ordnance, chemical weapons, and target practice which includes small arms and artillery firing, and helicopter gunnery practice. Presently, waste munitions are either placed in a pit and detonated, or placed on the ground, doused with fuel, and set ablaze. Fires started by military target practice have destroyed acres of forest at elevations at least as high as 1200 feet.

In 1992, the Environmental Protection Agency announced public hearings on an Army application for a permit under the federal Resource Conservation and Recovery Act (RCRA) to operate a hazardous waste treatment facility in the valley to dispose of "unserviceable military ordnance" in volumes up to 1,600 tons a year. The Army did not apply for a permit

for its other activities in the valley, which it considered exempt from RCRA. The Army has never been required to submit a state Environmental Impact Statement assessing the effects of its use of the valley on the environment.

Your Committees agree with the intent of H.R. No. 384, which is to focus the attention and energies of the federal and state government on fully assessing public health and safety risks regarding the use of hazardous substances in the Makua Valley, and to ensure that there is strict compliance with all applicable federal as well as state requirements and standards relating thereto. For too long, the military activities in the Makua Valley have gone unexamined, and unregulated. Your Committees are concerned for the growing Waianae Community, which utilizes the lands in the area for agricultural purposes and the ocean waters at the shores of the valley for recreation and fishing. In addition, your Committees recognize that use of the beaches and ocean waters in the area, and consequently the possible adverse impact of the Army's use of hazardous substances, will only increase as the new housing developments and the Ko' Olina hotel in the nearby Ewa District are completed.

Your Committees also believe that greater attention must be paid to the present use of lands that may, in the future, be returned to the State or the Hawaiian people. In that regard, your Committees note the possible archaeological significance of the area, and in addition, that the valley is the home of six species of plants placed on the federal endangered species list, as well as the place where the greatest concentration of another endangered species can be found—the snail, *achatinella mustelina*.

Your Committees are aware that the RCRA permit for which the United States Army (Army) has applied is presently under consideration by the Regional Office of the Environmental Protection Agency (EPA), and that it is possible that additional public hearings will be held on the matter. Your Committees have been informed by a private citizen testifying in support of this concurrent resolution that the Army's application is administratively incomplete under federal hazardous waste regulations with respect to three major areas:

- (1) The RCRA Part A Permit Application did not contain the signature of the landowner, i.e., the State of Hawaii;
- (2) The RCRA Part B Permit Application does not adequately explore the applicability of various federal laws, including the National Historic Preservation Act, the Endangered Species Act, and the Coastal Zone Management Program, as required under EPA regulations;
- (3) EPA's draft permit failed to identify or discuss solid waste management units for corrective action, despite the recommendation of EPA's contractor.

Your Committees also note that Environment Hawai'i, a monthly newsletter published in this state, evaluated the Army's permit application and found that it contained inadequate data on soil characteristics, and that the "hydrogeology of the valley is not discussed, so that it is impossible to know whether the underground water sources that may be contaminated by activities at Makua are drawn on elsewhere." It is your Committee's intent that this concurrent resolution focus Federal and State attention on these alleged deficiencies, and that the military, as a result, be held to the same environmental standards applied to others applying for RCRA permits.

Although the Board of Land and Natural Resources testified that it did not believe it had a part in either the RCRA permit process or assessment of the environmental impact of the Army's use of the valley, Your Committees believe that the State does have responsibilities with regard to the use of land, as stated above, and requests that the Board explore the extent of its authority under both federal and state law.

Your Committees have made nonsubstantive amendments to the concurrent resolution for the purposes of clarity.

As affirmed by the records of votes of the members of your Committees on Energy and Environmental Protection and Water and Land Use Planning that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 424, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 424, H.D. 1.

Signed by all members of the Committees except Representatives Beirne and Hirono.

SCRep. 1436

Energy and Environmental Protection and Agriculture on H.C.R. No. 483

The purpose of this concurrent resolution is to request the Secretary of the Interior to assist the State of Hawaii Department of Agriculture in protecting Kauai's endangered and threatened birds from the introduced aquatic apple snail.

Testimony in favor of this concurrent resolution was presented by the Department of Agriculture and the Bishop Museum. There was unanimous concern about the potential spread of the apple snails, which is currently a serious threat to taro production in the Hanalei National Wildlife Refuge and to the future protection of the refuge's endangered birds. Damage to taro fields by the introduced apple snail will adversely impact other areas suitability as a refuge for waterbirds.

Your Committees are concerned about the possible spread of the apple snail to other parts of the state and hope that this concurrent resolution will be used to leverage federal monies to combat this problem. Your Committees have amended this concurrent resolution by:

- 1) Incorporating various technical amendments suggested by the Bishop Museum;
- 2) Inserting a new BE IT FURTHER RESOLVED clause urging the Hawaii Congressional Delegation to do its utmost to initiate federal programs to address this problem; and

- 3) Inserting language to the last BE IT FURTHER RESOLVED clause to; (a) express the hope that this concurrent resolution will help leverage additional federal monies to help combat the apple snail problem; and (b) include the Hawaii Congressional Delegation to receive a certified copy of this concurrent resolution.

As affirmed by the record of votes of the members of your Committees on Energy and Environmental Protection and Agriculture that is attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 483, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 483, H.D. 1.

Signed by all members of the Committees except Representatives Hiraki, Hirono, Morihiro and Tam.

SCRep. 1437 Hawaiian Affairs on H.R. No. 175

The purpose of this resolution is to assist Hawaiians in preserving, developing, and transmitting to future generations their ancestral territory, and their cultural identity in accordance with their own spiritual and traditional beliefs, customs, practices, language, and social institutions by requesting the President and Congress of the United States to issue a formal apology to Native Hawaiians for the overthrow of the Kingdom of Hawaii.

The Office of Hawaiian Affairs submitted testimony in support of this resolution. The Department of Hawaiian Home Lands offered comments to this measure.

Your Committee finds that a formal apology by the United States is the necessary first step towards redressing past wrongful acts committed by the United States upon the Hawaiian people.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.R. No. 175 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1438 Hawaiian Affairs on H.C.R. No. 179

The purpose of this concurrent resolution is to assist Hawaiians in preserving, developing, and transmitting to future generations their ancestral territory, and their cultural identity in accordance with their own spiritual and traditional beliefs, customs, practices, language, and social institutions by requesting the President and Congress of the United States to issue a formal apology to Native Hawaiians for the overthrow of the Kingdom of Hawaii.

The Office of Hawaiian Affairs submitted testimony in support of this concurrent resolution. The Department of Hawaiian Home Lands offered comments to this measure.

Your Committee finds that a formal apology by the United States is the necessary first step towards redressing past wrongful acts committed by the United States upon the Hawaiian people.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.C.R. No. 179 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1439 Tourism and Economic Development and Business Concerns on H.R. No. 433

The purpose of this resolution is to encourage major businesses in Hawaii to promote employee appreciation programs to stimulate intra-state tourism similar to Bank of Hawaii's Hele Mai program.

Your Committees received testimony in support of this resolution from the Kauai County Office of Economic Development, the Poipu Beach Resort Association, the Chamber of Commerce of Hawaii, Bank of Hawaii, and the Hawaii Hotel Association.

Your Committees find that an increase in travel within the state by residents can provide economic stimulation by increasing the velocity of money circulation, which will increase employment and state tax revenues, and that Bank of Hawaii's Hele Mai program and other measures, such as the special kamaaina rates offered by hotels, help to sustain the state economy.

As affirmed by the records of votes of the members of your Committees on Tourism and Economic Development and Business Concerns that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 433 and recommend its adoption.

Signed by all members of the Committees except Representatives Chumbley, D. Ige, M. Ige, Lee and Tam.

SCRep. 1440 Tourism and Economic Development and Business Concerns on H.C.R. No. 488

The purpose of this concurrent resolution is to encourage major businesses in Hawaii to promote employee appreciation programs to stimulate intra-state tourism similar to Bank of Hawaii's Hele Mai program.

Your Committees received testimony in support of this resolution from the Kauai County Office of Economic Development, the Poipu Beach Resort Association, the Chamber of Commerce of Hawaii, Bank of Hawaii, and the Hawaii Hotel Association.

Your Committees find that an increase in travel within the state by residents can provide economic stimulation by increasing the velocity of money circulation, which will increase employment and state tax revenues, and that Bank of Hawaii's Hele Mai program and other measures, such as the special kamaaina rates offered by hotels, help to sustain the state economy.

As affirmed by the records of votes of the members of your Committees on Tourism and Economic Development and Business Concerns that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 488 and recommend its adoption.

Signed by all members of the Committees except Representatives Chumbley, D. Ige, M. Ige, Lee and Tam.

SCRep. 1441 Judiciary on H.R. No. 63

The purpose of this resolution is to request all branches of the United States military to recommence the performing of the twenty-one gun salutes at veteran burial ceremonies on all the islands.

Due to defense budget cuts, all military branches except the Marine Corps, have reduced most of the traditional funeral support for the nearly 300 veterans that are buried annually on the neighbor islands. Burial honors are presently being extended to veterans on the island of Oahu. Given the meaningful contribution and sacrifices made by our veterans, budget cuts should not be used to eliminate our final and greatest tribute to our comrades--the performance of the twenty-one gun salute at veteran burial ceremonies.

Testimony in support of this measure was submitted by the State of Hawaii Department of Defense and the Office of Veteran Services.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 63 and recommends its adoption.

Signed by all members of the Committee except Representatives Bainum, Herkes, Hirono, Oshiro and Takamine.

SCRep. 1442 Judiciary on H.C.R. No. 67

The purpose of this concurrent resolution is to request all branches of the United States military to recommence the performing of the twenty-one gun salutes at veteran burial ceremonies on all the islands.

Due to defense budget cuts, all military branches except the Marine Corps, have reduced most of the traditional funeral support for the nearly 300 veterans that are buried annually on the neighbor islands. Burial honors are presently being extended to veterans on the island of Oahu. Given the meaningful contribution and sacrifices made by our veterans, budget cuts should not be used to eliminate our final and greatest tribute to our comrades--the performance of the twenty-one gun salute at veteran burial ceremonies.

Testimony in support of this measure was submitted by the State of Hawaii Department of Defense and the Office of Veteran Services.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 67 and recommends its adoption.

Signed by all members of the Committee except Representatives Bainum, Herkes, Hirono, Oshiro and Takamine.

SCRep. 1443 Energy and Environmental Protection and Transportation on H.C.R. No. 457

The purpose of this concurrent resolution as received by your Committees is to extend the life of the Roadside Spray Task Force (RSTF) established by resolution in 1991, and continued by resolution in 1992, for an additional year. The concurrent resolution broadens the scope of the RSTF's study to allow the RSTF to continue monitoring of test sites on the Big Island, explore the viability of the recommendations made by the RSTF, and assist state and county agencies in formulating integrated vegetation management plans where feasible.

Your Committees heard testimony by the Department of Transportation, Hawaii Audubon Society, and Department of Agriculture.

As affirmed by the records of votes of the members of your Committees on Energy and Environmental Protection, and Transportation, that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 457 and recommends it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Hagino, Hirono, Shon, Takamine and Ward.

SCRep. 1444 Transportation on H.C.R. No. 419

The purpose of this concurrent resolution is to request the Department of Transportation (DOT) to enhance its efforts in working with the Airport Transport Management, Inc. (ATM), in planning and implementing a coordinated ground transportation system at the Honolulu International Airport (HIA).

Your Committee received testimony from the Department of Transportation, Airport Transport Management, Inc., Chamber of Commerce, and Hawaii Transportation Association.

Your Committee finds that a coordinated ground transportation management system that incorporates and facilitates an open taxi system at HIA would assist in alleviating traffic congestion while providing efficient service to the airport constituency. Your Committee further finds that efforts have been made by the Department of Transportation to enhance the overall ground transportation system at HIA.

Your Committee, upon further consideration, has amended this concurrent resolution by:

1. Changing the title to "House Concurrent Resolution Relating to Airports";
2. Requesting that the DOT initiate a request for proposals to secure the services of an entity to manage and operate an open taxi system at HIA;
3. Requesting that the DOT continue its efforts to implement a coordinated ground transportation system at HIA;
4. Ensuring that the management and operation of the open taxi system be such that it may be incorporated under the coordinated ground transportation system;
5. Requesting that the DOT submit a report to the 1994 State Legislature; and
6. Incorporating other modifications for the purpose of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 419, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 419, H.D. 1.

Signed by all members of the Committee except Representatives Hagino and Ward.

SCRep. 1445 Transportation on H.R. No. 379

The purpose of this resolution is to request the Department of Transportation (DOT) to enhance its efforts in working with the Airport Transport Management, Inc. (ATM), in planning and implementing a coordinated ground transportation system at the Honolulu International Airport (HIA).

Your Committee received testimony from the Department of Transportation, Airport Transport Management, Inc., Chamber of Commerce, and Hawaii Transportation Association.

Your Committee finds that a coordinated ground transportation management system that incorporates and facilitates an open taxi system at HIA would assist in alleviating traffic congestion while providing efficient service to the airport constituency. Your Committee further finds that efforts have been made by the Department of Transportation to enhance the overall ground transportation system at HIA.

Your Committee, upon further consideration, has amended this resolution by:

1. Changing the title to "House Resolution Relating to Airports";
2. Requesting that the DOT initiate a request for proposals to secure the services of an entity to manage and operate an open taxi system at HIA;
3. Requesting that the DOT continue its efforts to implement a coordinated ground transportation system at HIA;
4. Ensuring that the management and operation of the open taxi system be such that it may be incorporated under the coordinated ground transportation system;
5. Requesting that the DOT submit a report to the 1994 State Legislature; and
6. Incorporating other modifications for the purpose of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 379, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 379, H.D. 1.

Signed by all members of the Committee except Representatives Hagino and Ward.

SCRep. 1446 Water and Land Use Planning and Energy and Environmental Protection on H.R. No. 406

The purpose of this resolution is to request the Department of Land and Natural Resources to develop and implement a process to allow and encourage greater community input in management planning for the Natural Area Reserves System, to include participation by public groups interested in hunting, hiking, traditional Hawaiian practices, and environmental concerns.

Testimony in support of the measure was received from the Department of Land and Natural Resources, the Hawaii Audubon Society, the Nature Conservancy of Hawaii, and the Sierra Club.

The Department of Land and Natural Resources also noted in its supporting testimony the concern that necessary scientific expertise be retained in the makeup of advisory commissions, balanced with increased community input.

As affirmed by the records of votes of the members of your Committees on Water and Land Use Planning and Energy and Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 406 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Beirne and Hirono.

SCRep. 1447 Water and Land Use Planning and Energy and Environmental Protection on H.C.R. No. 455

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources to develop and implement a process to allow and encourage greater community input in management planning for the Natural Area Reserves System, to include participation by public groups interested in hunting, hiking, traditional Hawaiian practices, and environmental concerns.

Testimony in support of the measure was received from the Department of Land and Natural Resources, the Hawaii Audubon Society, the Nature Conservancy of Hawaii, and the Sierra Club.

The Department of Land and Natural Resources also noted in its supporting testimony the concern that necessary scientific expertise be retained in the makeup of advisory commissions, balanced with increased community input.

As affirmed by the records of votes of the members of your Committees on Water and Land Use Planning and Energy and Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 455 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Beirne and Hirono.

SCRep. 1448 Water and Land Use Planning on H.R. No. 353

The purpose of this resolution is to affirm the Legislature's commitment to the restoration and re-dedication of the Waikiki War Memorial Natatorium as a "Living Memorial" in order to:

- (1) Recognize and validate the unique achievements of our past;
- (2) Honor the commitments made in perpetuity by the Territorial Legislature in 1921;
- (3) Commemorate the memories of the sons and daughters who gave their lives in defense of Hawaii's values; and
- (4) Inspire those who will contribute to Hawaii in the future through their achievements in the community, government, the military, or through physical fitness and athletic endeavors.

Your Committee received supporting testimony on this resolution from: the Department of Land and Natural Resources; two members of the Friends of the Natatorium; The Coalition to Restore the Natatorium; The Retired Officers' Association; the Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board 5; and one interested individual.

Your Committee appreciates the eloquent testimony by a member of the Friends of the Natatorium who recalled not only the glory years of the Natatorium but also the less well-known activities that went on within this historical structure. This testimony provided the members with a deeper appreciation of the different ways that the Natatorium has touched the lives of so many people.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 353 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Beirne and Kanoho.

SCRep. 1449 Water and Land Use Planning on H.C.R. No. 386

The purpose of this concurrent resolution is to affirm the Legislature's commitment to the restoration and re-dedication of the Waikiki War Memorial Natatorium as a "Living Memorial" in order to:

- (1) Recognize and validate the unique achievements of our past;
- (2) Honor the commitments made in perpetuity by the Territorial Legislature in 1921;
- (3) Commemorate the memories of the sons and daughters who gave their lives in defense of Hawaii's values; and
- (4) Inspire those who will contribute to Hawaii in the future through their achievements in the community, government, the military, or through physical fitness and athletic endeavors.

Your Committee received supporting testimony on this concurrent resolution from: the Department of Land and Natural Resources; two members of the Friends of the Natatorium; The Coalition to Restore the Natatorium; The Retired Officers' Association; the Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board 5; and one interested individual.

Your Committee appreciates the eloquent testimony by a member of the Friends of the Natatorium who recalled not only the glory years of the Natatorium but also the less well-known activities that went on within this historical structure. This testimony provided the members with a deeper appreciation of the different ways that the Natatorium has touched the lives of so many people.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 386 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Beirne and Kanoho.

SCRep. 1450 Water and Land Use Planning on H.R. No. 374

The purpose of this resolution is to request that the Department of Land and Natural Resources propose feasible delineations for the designation of Mount Olomana as a state monument, taking into account input from community and landowners and assessing the possibility of land swaps and equitable compensation.

Testimony in favor of this measure was received from landowner Asahi Kanko U.S.A., Incorporated. In its testimony, the Department of Land and Natural Resources stated it could not support the resolution, citing limited resources and staff time which would be diverted by the request for coordination and report preparation.

Your Committee recognizes that Mount Olomana occupies a special place in the minds and hearts of the residents of Windward Oahu, and acknowledges past and ongoing community efforts to preserve this landmark. Testimony from Asahi Kanko reported the existence of historic landmarks such as the Kanahau Heiau and Pohaku Hiiaka on the property.

In its consideration, therefore, your Committee has decided to amend the resolution by:

- 1) Replacing the first BE IT FURTHER RESOLVED with language that requests the Department of Land and Natural Resources to take into account public input and which broadens the avenues to be explored in preserving Mount Olomana; and
- 2) Amending the BE IT FURTHER RESOLVED which requests a report to the Legislature by specifying that the scope of the report cover status updates.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 374, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 374, H.D. 1.

Signed by all members of the Committee except Representatives Bainum, Tajiri and Thielen.

SCRep. 1451 Water and Land Use Planning on H.C.R. No. 414

The purpose of this concurrent resolution is to request that the Department of Land and Natural Resources propose feasible delineations for the designation of Mount Olomana as a state monument, taking into account input from community and landowners and assessing the possibility of land swaps and equitable compensation.

Testimony in favor of this measure was received from landowner Asahi Kanko U.S.A., Incorporated. In its testimony, the Department of Land and Natural Resources stated it could not support the resolution, citing limited resources and staff time which would be diverted by the request for coordination and report preparation.

Your Committee recognizes that Mount Olomana occupies a special place in the minds and hearts of the residents of Windward Oahu, and acknowledges past and ongoing community efforts to preserve this landmark. Testimony from Asahi Kanko reported the existence of historic landmarks such as the Kanahau Heiau and Pohaku Hiiaka on the property.

In its consideration, therefore, your Committee has decided to amend the resolution by:

- 1) Replacing the first BE IT FURTHER RESOLVED with language that requests the Department of Land and Natural Resources to take into account public input and which broadens the avenues to be explored in preserving Mount Olomana; and

- 2) Amending the **BE IT FURTHER RESOLVED** which requests a report to the Legislature by specifying that the scope of the report cover status updates.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 414, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 414, H.D. 1.

Signed by all members of the Committee except Representatives Bainum, Tajiri and Thielen.

SCRep. 1452 Hawaiian Affairs on H.R. No. 58

The purpose of this resolution is to request Congress to review the wrongs done to the Hawaiian people and to develop a procedure to get the Hawaiian people back on the lands.

Testimony in support of this resolution was presented by the Office of Hawaiian Affairs; the State Council of Hawaiian Homestead Associations; the Hawaiian Home Lands Action Network; Ahupuaa Maui Island; the Waimea Hawaiian Homesteaders' Association; and the Hawaii Chapter of the National Rainbow Coalition. The Department of Hawaiian Home Lands and One Alii Homestead Association opposed adoption of this measure. Ka Lahui Hawaii also submitted comments.

Your Committee has amended this resolution by:

- (1) Re-wording the title to urge Congress to support, instead of review, the Hawaiian home lands program, instead of the Hawaiian homes program;
- (2) Clarifying the events that occurred on January 17, 1893 (page one, 1st WHEREAS clause);
- (3) Deleting references to the fact that the Hawaiian Monarchy was dethroned on January 17, 1893 (page one, 2nd WHEREAS clause);
- (4) Re-phrasing the efforts of Prince Kuhio in getting Congress to pass the Hawaiian Homes Commission Act, and transferring into a new WHEREAS clause references to the impact that inter-marriage with imported laborers had in reducing the blood quantum of many Hawaiians to below fifty percent (page one, 6th WHEREAS clause);
- (5) Deleting the clause describing the fact that Congress did not require progress reports to aid in the review of the program at the federal level; and inserting a clause stating that Congress did not appropriate any federal funds for the rehabilitation program (page two, 1st WHEREAS clause);
- (6) Replacing the last WHEREAS clause with language stating that when the State assumed responsibility for the Hawaiian Home Lands Trust, this transfer was not whole due to the wrongful acts that had occurred prior to Statehood;
- (7) Re-wording the **BE IT RESOLVED** clause to request that Congress provide direct federal resources to address the various needs and clarify what the needs are;
- (8) Clarifying that the Hawaiian Homes Program be reviewed quarterly by the U.S. Department of the Interior and annually by Congress (page 2, 1st **BE IT FURTHER RESOLVED** clause); and
- (9) Including the U.S. Department of the Interior as a recipient of certified copies of this resolution since the Department was requested to review the Hawaiian Home Lands Program (page 2, 1st **BE IT FURTHER RESOLVED** clause); and
- (10) Correcting certain typographic, technical, and stylistic errors.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 58, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 58, H.D. 1.

Signed by all members of the Committee except Representative Ihara.

SCRep. 1453 Hawaiian Affairs on H.C.R. No. 64

The purpose of this concurrent resolution is to request Congress to review the wrongs done to the Hawaiian people and to develop a procedure to get the Hawaiian people back on the lands.

Testimony in support of this concurrent resolution was presented by the Office of Hawaiian Affairs; the State Council of Hawaiian Homestead Associations; the Hawaiian Home Lands Action Network; Ahupuaa Maui Island; the Waimea Hawaiian Homesteaders' Association; and the Hawaii Chapter of the National Rainbow Coalition. The Department of Hawaiian Home Lands and One Alii Homestead Association opposed adoption of this measure. Ka Lahui Hawaii also submitted comments.

Your Committee has amended this concurrent resolution by:

- (1) Re-wording the title to urge Congress to support, instead of review, the Hawaiian home lands program, instead of the Hawaiian homes program;
- (2) Clarifying the events that occurred on January 17, 1893 (page one, 1st WHEREAS clause);
- (3) Deleting references to the fact that the Hawaiian Monarchy was dethroned on January 17, 1893 (page one, 2nd WHEREAS clause);
- (4) Re-phrasing the efforts of Prince Kuhio in getting Congress to pass the Hawaiian Homes Commission Act, and transferring into a new WHEREAS clause references to the impact that inter-marriage with imported laborers had in reducing the blood quantum of many Hawaiians to below fifty percent (page one, 6th WHEREAS clause);
- (5) Deleting the clause describing the fact that Congress did not require progress reports to aid in the review of the program at the federal level; and inserting a clause stating that Congress did not appropriate any federal funds for the rehabilitation program (page two, 1st WHEREAS clause);
- (6) Replacing the last WHEREAS clause with language stating that when the State assumed responsibility for the Hawaiian Home Lands Trust, this transfer was not whole due to the wrongful acts that had occurred prior to Statehood;
- (7) Re-wording the BE IT RESOLVED clause to request that Congress provide direct federal resources to address the various needs and clarify what the needs are;
- (8) Clarifying that the Hawaiian Homes Program be reviewed quarterly by the U.S. Department of the Interior and annually by Congress (page 2, 1st BE IT FURTHER RESOLVED clause);
- (9) Including the U.S. Department of the Interior as a recipient of certified copies of this concurrent resolution since the Department was requested to review the Hawaiian Home Lands Program (page 2, 1st BE IT FURTHER RESOLVED clause); and
- (10) Correcting certain typographic, technical, and stylistic errors.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 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 except Representative Ihara.

SCRep. 1454 Hawaiian Affairs on H.R. No. 27

The purpose of this resolution is to support further public discussion and debate on the issue of Hawaiian sovereignty and to suggest that such sovereignty is a matter of federal obligation based on the trust relationship between the federal government and native Hawaiians.

Testimony in support of this resolution was presented by the Department of Hawaiian Home Lands; the Office of Hawaiian Affairs; the Office of State Planning; the State Council of Hawaiian Homestead Associations; the Waiimea Hawaiian Homesteaders Association; and the Hawaii Chapter of the National Rainbow Coalition. The Pro-Hawaiian Sovereignty Working Group, Ka Pakaukau, and Ka Lahui Hawaii opposed this measure.

After much discussion regarding the most appropriate term and definition of indigenous Hawaiians as presented in this resolution, your Committee has amended this measure as follows:

- (1) Replaced the terms "native Hawaiians" and "Hawaiians" with the term "Native Hawaiians";
- (2) Included the definition of native Hawaiians as the descendants of the aboriginal people inhabiting the Hawaiian Islands which exercised sovereignty and subsisted in the Hawaiian Islands previous to 1778 (page 1, 1st WHEREAS clause);
- (3) Replaced the phrase "Hawaiian people are indigenous Americans" with "Native Hawaiians are indigenous people" (page 1, 3rd WHEREAS clause);
- (4) Replaced the phrase "their native American brothers and sisters" with "the native Americans" (page 1, 3rd WHEREAS clause);
- (5) Replaced the term "Hawaiian citizens" with "citizens of the State of Hawaii" (page 1, 1st BE IT RESOLVED clause); and
- (5) Replaced the phrase "premised on the status of native Hawaiians as a native American people" with "based on the principle that Native Hawaiians have a long standing, unique legal and political relationship" (page 1, 1st BE IT FURTHER RESOLVED clause).

Your Committee finds that the federal government should be asked to financially support efforts to educate the public on the issue of Hawaiian sovereignty. Accordingly, your Committee has amended the BE IT RESOLVED clause by adding the following statement to the existing language:

"and the President of the United States and the United States Congress are urged to provide federal funds through the Administration of Native Americans for costs relating to the education of Native Hawaiians as well as the general public on the issue of Native Hawaiian sovereignty to the 1st BE IT RESOLVED because ; and"

Your Committee has added "United States" before "Secretary of the Interior" (page 2, last BE IT FURTHER RESOLVED) for clarification.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 27, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 27, H.D. 1.

Signed by all members of the Committee except Representative Ihara.

SCRep. 1455 Hawaiian Affairs on H.C.R. No. 32

The purpose of this concurrent resolution is to support further public discussion and debate on the issue of Hawaiian sovereignty and to suggest that such sovereignty is a matter of federal obligation based on the trust relationship between the federal government and native Hawaiians.

Testimony in support of this concurrent resolution was presented by the Department of Hawaiian Home Lands; the Office of Hawaiian Affairs; the Office of State Planning; the State Council of Hawaiian Homestead Associations; the Waimea Hawaiian Homesteaders Association; and the Hawaii Chapter of the National Rainbow Coalition. The Pro-Hawaiian Sovereignty Working Group, Ka Pakaukau, and Ka Lahui Hawaii opposed this measure.

After much discussion regarding the most appropriate term and definition of indigenous Hawaiians as presented in this concurrent resolution, your Committee has amended this measure as follows:

- (1) Replaced the terms "native Hawaiians" and "Hawaiians" with the term "Native Hawaiians";
- (2) Included the definition of native Hawaiians as the descendants of the aboriginal people inhabiting the Hawaiian Islands which exercised sovereignty and subsisted in the Hawaiian Islands previous to 1778 (page 1, 1st WHEREAS clause);
- (3) Replaced the phrase "Hawaiian people are indigenous Americans" with "Native Hawaiians are indigenous people" (page 1, 3rd WHEREAS clause);
- (4) Replaced the phrase "their native American brothers and sisters" with "the native Americans" (page 1, 3rd WHEREAS clause);
- (5) Replaced the terms "Hawaiian citizens" with "citizens of the State of Hawaii" (page 1, 1st BE IT RESOLVED clause); and
- (5) Replaced the phrase "premised on the status of native Hawaiians as a native American people" with "based on the principle that Native Hawaiians have a long standing, unique legal and political relationship" (page 1, 1st BE IT FURTHER RESOLVED clause).

Your Committee finds that the federal government should be asked to financially support efforts to educate the public on the issue of Hawaiian sovereignty. Accordingly, your Committee has amended the BE IT RESOLVED clause by adding the following statement to the existing language:

"and the President of the United States and the United States Congress are urged to provide federal funds through the Administration of Native Americans for costs relating to the education of Native Hawaiians as well as the general public on the issue of Native Hawaiian sovereignty; and"

Your Committee has added "United States" before "Secretary of the Interior" (page 2, last BE IT FURTHER RESOLVED) for clarification.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 32, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 32, H.D. 1.

Signed by all members of the Committee except Representative Ihara.

SCRep. 1456 Health on H.R. No. 263

The purpose of this resolution is to request the Department of Health to implement the recommendations set forth in the report entitled, "The Future of the Child and Adolescent Mental Health System in Hawai'i."

More specifically, the resolution requests, among other things, that the Department of Health accomplish the following by certain specified deadlines:

- (1) Coordinate the identification and assessment of every severely emotionally and behaviorally disturbed child and adolescent who is the responsibility of the State;
- (2) Coordinate a comprehensive State effort to identify funds for children and adolescents requiring mental health services;
- (3) Implement a comprehensive data collection system for mental health planning purposes;
- (4) Formulate a plan for the integration of services to children and adolescents with dual diagnoses; and
- (5) Develop procedures for ongoing assessment and planning to monitor the effectiveness of the statewide children and adolescent mental health system.

The resolution also calls for public-private partnerships to provide mental health services currently provided by the Department of Health. Additionally, the resolution requests interagency cooperation to integrate services and resources in this area, and the drawing up of necessary memoranda of agreement therefor.

Testimony in support of the intent of this resolution was submitted by the Department of Health, the Mental Health Association in Hawaii, the State Advisory Council on Mental Health and Substance Abuse, the Governor's Office of Children and Youth, the Commission on Persons with Disabilities, the Judiciary, and the Waianae Coast Community Mental Health Center, Inc.

The Department of Health stressed that it could not meet several of the stringent deadlines imposed by the resolution, and requested an extension of time to complete these tasks.

The Hawaii Government Employees Association submitted comments indicating its opposition to the recommendations of the report underlying the resolution.

Based on the foregoing, your Committee has amended the resolution by:

- (1) Requiring that the following be completed by June 30, 1994 instead of June 30, 1993:
 - (A) Coordination of an effort to identify and assess every severely emotionally and behaviorally disturbed child and adolescent who is the responsibility of this State;
 - (B) Coordination of a comprehensive State effort to identify funds applicable to the foregoing population; and
 - (C) Implementation of a comprehensive data collection system;
- (2) Requiring integration of services and resources, definition of areas of interagency dispute, and the development of a memoranda of agreement by June 30, 1994;
- (3) Requiring the development of policy statements to be used by public officials in addressing the problems of emotionally disturbed children, adolescents, and their families by June 30, 1994;
- (4) Requiring the Department of Health to submit a progress report to the Legislature no later than twenty days prior to the convening of the 1994 regular session, and another progress report on June 30, 1994; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 263, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 263, H.D. 1.

Signed by all members of the Committee except Representatives Isbell, Kawakami and O'Kieffe.

SCRep. 1457 Health on H.C.R. No. 278

The purpose of this concurrent resolution is to request the Department of Health to implement the recommendations set forth in the report entitled, "The Future of the Child and Adolescent Mental Health System in Hawai'i."

More specifically, the concurrent resolution requests, among other things, that the Department of Health accomplish the following by certain specified deadlines:

- (1) Coordinate the identification and assessment of every severely emotionally and behaviorally disturbed child and adolescent who is the responsibility of the State;
- (2) Coordinate a comprehensive State effort to identify funds for children and adolescents requiring mental health services;
- (3) Implement a comprehensive data collection system for mental health planning purposes;

- (4) Formulate a plan for the integration of services to children and adolescents with dual diagnoses; and
- (5) Develop procedures for ongoing assessment and planning to monitor the effectiveness of the statewide children and adolescent mental health system.

The concurrent resolution also calls for public-private partnerships to provide mental health services currently provided by the Department of Health. Additionally, the concurrent resolution requests interagency cooperation to integrate services and resources in this area, and the drawing up of necessary memoranda of agreement therefor.

Testimony in support of the intent of this concurrent resolution was submitted by the Department of Health, the Mental Health Association in Hawaii, the State Advisory Council on Mental Health and Substance Abuse, the Governor's Office of Children and Youth, the Commission on Persons with Disabilities, the Judiciary, and the Waianae Coast Community Mental Health Center, Inc.

The Department of Health stressed that it could not meet several of the stringent deadlines imposed by the concurrent resolution, and requested an extension of time to complete these tasks.

The Hawaii Government Employees Association submitted comments indicating its opposition to the recommendations of the report underlying the resolution.

Based on the foregoing, your Committee has amended the concurrent resolution by:

- (1) Requiring that the following be completed by June 30, 1994 instead of June 30, 1993:
 - (A) Coordination of an effort to identify and assess every severely emotionally and behaviorally disturbed child and adolescent who is the responsibility of this State;
 - (B) Coordination of a comprehensive State effort to identify funds applicable to the foregoing population; and
 - (C) Implementation of a comprehensive data collection system;
- (2) Requiring integration of services and resources, definition of areas of interagency dispute, and the development of a memoranda of agreement by June 30, 1994;
- (3) Requiring the development of policy statements to be used by public officials in addressing the problems of emotionally disturbed children, adolescents, and their families by June 30, 1994;
- (4) Requiring the Department of Health to submit a progress report to the Legislature no later than twenty days prior to the convening of the 1994 regular session, and another progress report on June 30, 1994; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 278, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 278, H.D. 1.

Signed by all members of the Committees except Representatives Isbell, Kawakami and O'Kieffe.

SCRep. 1458 Health on H.R. No. 186

The purpose of this resolution is to request the Department of Health to maintain twenty-four hour mental health centers for the benefit of the people of Hawaii.

The Mental Health Association in Hawai'i and the Hawaii State Alliance for the Mentally Ill submitted testimony in support of this resolution. The Department of Health submitted testimony in support of the intent of this resolution, however, the Department stated that stretching current staff to cover more evening, night, or weekend hours would seriously compromise already existing resources.

Upon careful consideration, your Committee has amended this resolution by:

- (1) Requesting that the Department of Health make available twenty-four hour emergency response to mental health agencies on all islands with effective outreach capacity, emergency beds, and access to the mental health data system;
- (2) Amending the title of the measure to read, "REQUESTING THE DEPARTMENT OF HEALTH TO MAINTAIN 24-HOUR MENTAL HEALTH SERVICES";
- (3) Amending the BE IT RESOLVED paragraph to read, "BE IT RESOLVED by the House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1993, that the Department of Health make available twenty-four hour emergency response to mental health agencies on all islands with effective outreach capacity, emergency beds, and access to the mental health data system";

- (4) Amending the BE IT FURTHER RESOLVED paragraph to read, "BE IT FURTHER RESOLVED that the Department of Health submit a report to the Legislature on its efforts to make available twenty-four hour emergency response to mental health emergencies on all islands with effective outreach capacity, emergency beds, and access to the mental health data system at least twenty days before the convening of the Regular Session of 1994" for the purpose of consistency; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 186, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 186, H.D. 1.

Signed by all members of the Committee except Representatives Isbell, Kawakami and O'Kieffe.

SCRep. 1459 Health on H.C.R. No. 190

The purpose of this concurrent resolution is to request the Department of Health to maintain twenty-four hour mental health centers for the benefit of the people of Hawaii.

The Mental Health Association in Hawai'i and the Hawaii State Alliance for the Mentally Ill submitted testimony in support of this concurrent resolution. The Department of Health submitted testimony in support of the intent of this concurrent resolution, however, the Department stated that stretching current staff to cover more evening, night, or weekend hours would seriously compromise already existing resources.

Upon careful consideration, your Committee has amended this concurrent resolution by:

- (1) Requesting that the Department of Health make available twenty-four hour emergency response to mental health agencies on all islands with effective outreach capacity, emergency beds, and access to the mental health data system;
- (2) Amending the title of the measure to read, "REQUESTING THE DEPARTMENT OF HEALTH TO MAINTAIN 24-HOUR MENTAL HEALTH SERVICES";
- (3) Amending the BE IT RESOLVED paragraph to read, "BE IT RESOLVED by the House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1993, that the Department of Health make available twenty-four hour emergency response to mental health agencies on all islands with effective outreach capacity, emergency beds, and access to the mental health data system";
- (4) Amending the BE IT FURTHER RESOLVED paragraph to read, "BE IT FURTHER RESOLVED that the Department of Health submit a report to the Legislature on its efforts to make available twenty-four hour emergency response to mental health emergencies on all islands with effective outreach capacity, emergency beds, and access to the mental health data system at least twenty days before the convening of the Regular Session of 1994" for the purpose of consistency; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 190, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 190, H.D. 1.

Signed by all members of the Committee except Representatives Isbell, Kawakami and O'Kieffe.

SCRep. 1460 Health on H.R. No. 350

The purpose of this resolution is to encourage the Department of Health to develop an American Psychological Association approved internship program in clinical psychology.

Testimonies in support of the intent of this resolution have been received from the Department of Health, the Hawaii State Alliance for the Mentally Ill (HSAMI) and the Forest Institute.

It is noted by your Committee that there is a need for clinical psychologist in the State of Hawaii. It is also noted that this resolution would allow the State to make use of an already existing resource as well as to be able to provide a better service without further expense. These interns have completed three years of classroom and practicum experience within various state and federal agencies in Hawaii. It was recognized by your Committee that the State could increase the quality of service within the system without hiring new personnel.

After careful consideration, your Committee has amended this resolution by including language assuring quality training for graduate students in clinical psychology in internship programs within the State system.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 350, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 350, H.D. 1.

Signed by all members of the Committee except Representatives Isbell, Kawakami and O'Kieffe.

SCRep. 1461 Health on H.C.R. No. 383

The purpose of this concurrent resolution is to encourage the Department of Health to develop an American Psychological Association approved internship program in clinical psychology.

Testimonies in support of the intent of this concurrent resolution have been received from the Department of Health, the Hawaii State Alliance for the Mentally Ill (HSAMI) and the Forest Institute.

It is noted by your Committee that there is a need for clinical psychologist in the State of Hawaii. It is also noted that this resolution would allow the State to make use of an already existing resource as well as to be able to provide a better service without further expense. These interns have completed three years of classroom and practicum experience within various state and federal agencies in Hawaii. It was recognized by your Committee that the State could increase the quality of service within the system without hiring new personnel.

After careful consideration, your Committee has amended this concurrent resolution by including language assuring quality training for graduate students in clinical psychology in internship programs within the State system.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 383, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 383, H.D. 1.

Signed by all members of the Committee except Representatives Isbell, Kawakami and O'Kieffe.

SCRep. 1462 Water and Land Use Planning on H.R. No. 416

The purpose of this resolution is to request the Department of Land and Natural Resources (DLNR) to study the feasibility of restructuring the fee conveyance as well as other procedures such as the rights of descendants, period of lessee's occupancy, and determination of fair market consideration, as they pertain to homestead leases issued under the Land Act of 1895.

A member of one of the four remaining homesteads in Palolo Valley testified that:

- (1) One of the conditions in the 999-year lease requires that the lease cannot be mortgaged or assigned;
- (2) As a result, a mortgage cannot be obtained from a lending institution, because it would be unable to collateralize the mortgage. Without such a mortgage, the homesteaders cannot rebuild or adequately maintain their residences;
- (3) Obtaining a mortgage would not be a problem if the homesteaders could purchase the fee interest in the property from the State. The law allows the lessees to obtain the fee interest at a fair market value disregarding the improvement made upon the land, the tenure of the lessee and successors, and the remaining years left on the lease; and
- (4) The problem is that the fair market value has been determined to be prohibitive. The only option available to the homesteaders is to sell a portion of their land.

Two other individuals also supported this resolution and testified that the lessees should be able to purchase their fee interest based on the fair market value of the land when the leases were first negotiated.

DLNR recommended holding this measure, since it has been complying with the law, especially the manner in which the fair market price is determined. In supporting this measure, the Office of Hawaiian Affairs (OHA) reiterated its interest in helping to resolve the problems faced by the occupiers and lessees of the 999-year lease. It also pointed out that the House has inserted \$40,000 into OHA's biennial budget for the purpose of conducting a comprehensive analysis of the various problems relating to these homestead leases.

Based on the testimony presented by DLNR and OHA, your Committee has amended this resolution by:

- (1) Requesting OHA, instead of DLNR, to undertake the study; and
- (2) Correcting certain typographic, technical, and stylistic errors.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 416, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 416, H.D. 1.

Signed by all members of the Committee except Representatives Beirne and Kanoho.

SCRep. 1463 Health and Intergovernmental Relations and International Affairs on H.R. No. 260

The purpose of this resolution is to convene a panel to review studies on the effects of electromagnetic fields (EMFs) on health and report its findings and recommendations to the Legislature prior to the 1994 Regular Session.

Testimony in support of the intent of this resolution was submitted from the Department of Health, the Hawaii Chapter of the Sierra Club, the International Brotherhood of Electrical Workers, the Hawaiian Electric Company, and a concerned citizen.

Your Committees have amended this resolution by:

- (1) Directing that the panel recommend sound, controlled, and safe "standards" to minimize EMF exposure, and "require public dissemination of information, including guidance on the nature of prudent avoidance of EMFs";
- (2) Clarifying that the panel "may" be comprised of the entities listed in the resolution;
- (3) Further clarifying that the panel may also include "interested organizations and individuals" in its membership;
- (4) Inserting a whereas clause regarding the Department of Health's April 1991 policy on EMFs;
- (5) Inserting a whereas clause regarding the Department of Health's continuing efforts to collect and evaluate EMF research data;
- (6) Refining the whereas provisions pertaining to incidences of leukemia on the Waianae Coast for the purposes of accuracy;
- (7) Deleting the whereas clause pertaining to appropriate political, legal, and market responses; and
- (8) Making technical, non-substantive amendments for the purposes of clarity, consistency, and style.

Your Committees emphasize the importance of the development and implementation of a policy of "prudent avoidance" to EMF minimization efforts. This policy should include practical measures which can be undertaken to lessen EMF exposure, including measures as simple as unplugging electric blankets, keeping a distance away from microwave ovens while they are in operation, and turning off video monitors when not in use. As the debate on the health effects of EMFs continues, a prudent avoidance policy would enable our citizens to make informed choices regarding EMF exposure.

As affirmed by the records of votes of the members of your Committees on Health and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 260, as amended herein, and recommend that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 260, H.D. 1.

Signed by all members of the Committees except Representatives Alcon, Hagino and Kawakami.

SCRep. 1464 Health and Intergovernmental Relations and International Affairs on H.C.R. No. 264

The purpose of this concurrent resolution is to convene a panel to review studies on the effects of electromagnetic fields (EMFs) on health and report its findings and recommendations to the Legislature prior to the 1994 Regular Session.

Testimony in support of the intent of this concurrent resolution was submitted from the Department of Health, the Hawaii Chapter of the Sierra Club, the International Brotherhood of Electrical Workers, the Hawaiian Electric Company, and a concerned citizen.

Your Committees have amended this concurrent resolution by:

- (1) Directing that the panel recommend sound, controlled, and safe "standards" to minimize EMF exposure, and "require public dissemination of information, including guidance on the nature of prudent avoidance of EMFs";
- (2) Clarifying that the panel "may" be comprised of the entities listed in this concurrent resolution;
- (3) Further clarifying that the panel may also include "interested organizations and individuals" in its membership;
- (4) Inserting a whereas clause regarding the Department of Health's April 1991 policy on EMFs;
- (5) Inserting a whereas clause regarding the Department of Health's continuing efforts to collect and evaluate EMF research data;
- (6) Refining the whereas provisions pertaining to incidences of leukemia on the Waianae Coast for the purposes of accuracy;
- (7) Deleting the whereas clause pertaining to appropriate political, legal, and market responses; and
- (8) Making technical, non-substantive amendments for the purposes of clarity, consistency, and style.

Your Committees emphasize the importance of the development and implementation of a policy of "prudent avoidance" to EMF minimization efforts. This policy should include practical measures which can be undertaken to lessen EMF exposure, including measures as simple as unplugging electric blankets, keeping a distance away from microwave ovens

while they are in operation, and turning off video monitors when not in use. As the debate on the health effects of EMFs continues, a prudent avoidance policy would enable our citizens to make informed choices regarding EMF exposure.

As affirmed by the records of votes of the members of your Committees on Health and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 264, as amended herein, and recommend that it be referred to the Committee on Legislative Management in the form attached hereto as H.C.R. No. 264, H.D. 1.

Signed by all members of the Committees except Representatives Alcon, Hagino and Kawakami.

SCRep. 1465 Health on H.R. No. 97

The purpose of this resolution is to urge the Department of Health to strengthen and develop its strategy and procedure for identifying, testing and providing follow up on treatment for those diagnosed with tuberculosis.

Testimony was received from the Department of Health supporting the intent of the resolution.

Your Committee notes that there is a serious tuberculosis problem in the State of Hawaii. It is also noted that in order for testing to be effective, follow up and treatment of those who have been or are suspected of having tuberculosis is needed.

Accordingly, your Committee has amended this resolution by adding language that would urge the Department of Health to develop more effective ways of finding individuals infected with tuberculosis through testing, including the continued testing of foodhandlers. Language was also added to urge follow up and treatment of those who have tested positive for tuberculosis.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 97, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 97, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami and O'Kieffe.

SCRep. 1466 Health on H.C.R. No. 100

The purpose of this concurrent resolution is to urge the Department of Health to strengthen and develop its strategy and procedure for identifying, testing and providing follow up on treatment for those diagnosed with tuberculosis.

Testimony was received from the Department of Health supporting the intent of the concurrent resolution.

Your Committee notes that there is a serious tuberculosis problem in the State of Hawaii. It is also noted that in order for testing to be effective, follow up and treatment of those who have been or are suspected of having tuberculosis is needed.

Accordingly, your Committee has amended this bill by adding language that would urge the Department of Health to develop more effective ways of finding individuals infected with tuberculosis through testing, including the continued testing of foodhandlers. Language was also added to urge follow up and treatment of those who have tested positive for tuberculosis.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 100, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 100, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami and O'Kieffe.

SCRep. 1467 Finance on H.C.R. No. 3

The purpose of this concurrent resolution is to request that an unspecified agency submit a detailed financial report to the Legislature to enable the Legislature to assess the effectiveness of all the recent real estate investment transactions conducted by the Board of Trustees of the Employees' Retirement System (ERS) and to ascertain the impact of the transactions on the state financial plan.

The Employees' Retirement System submitted testimony stating that a more detailed financial report is not needed since the ERS reports are audited each year by independent certified public accountants. The ERS further stated that the rate of return for the real estate portfolio, as noted in their 1990 annual report, was slightly lower than other asset classes, however, it is not a cause for alarm since real estate values everywhere have been at an all-time low. This has given the ERS the opportunity to "buy low" so that they will be able to "sell high" at a later date.

Upon careful consideration, your Committee has amended this concurrent resolution by:

- (1) Requesting the State Senate to submit to the Legislature a detailed financial report to help the Legislature assess the effectiveness of recent real estate investment transactions, since the State Senate has recently announced its intention to begin a Senate investigation on this very issue;

- (2) Amending the title of the measure to read, "REQUESTING THE SUBMISSION OF A DETAILED FINANCIAL REPORT DONE BY THE STATE SENATE OF THE EMPLOYEES' RETIREMENT SYSTEM", and inserting the phrase, "done by the State Senate" wherever appropriate for purposes of consistency; and;
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.C.R. No. 3, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 3, H.D. 1.

Signed by all members of the Committee except Representatives Morihara, Nekoba and Tajiri.

SCRep. 1468 Finance on H.R. No. 24

The purpose of this resolution is to urge the U.S. President and the U.S. Congress to affirm, honor, and fulfill the federal trust obligations to the native Hawaiian people as provided under the Hawaiian Homes Commission Act.

Testimony in support of this resolution was presented by the Office of Hawaiian Affairs, the Office of State Planning, and the Department of Hawaiian Home Lands.

Your Committee has amended this resolution by:

- (1) Deleting the phrase "but has failed to do so" from the end of the sixth WHEREAS clause on page two so that it would now read: "WHEREAS, the federal government also retained the power to review and approve amendments to the provisions of the Hawaiian Homes Commission Act and the power to sue to enforce its terms;" and
- (2) Deleting the first BE IT FURTHER RESOLVED clause that requests the President and Congress to recognize native Hawaiians as an indigenous native American people. Hawaiians are not native Americans, because they are the descendents of the indigenous people of the Hawaiian islands who had their own unique culture and language.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 24, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 24, H.D. 2.

Signed by all members of the Committee except Representatives Morihara and Tajiri.

SCRep. 1469 Finance on H.C.R. No. 29

The purpose of this concurrent resolution is to urge the U.S. President and the U.S. Congress to affirm, honor, and fulfill the federal trust obligations to the native Hawaiian people as provided under the Hawaiian Homes Commission Act.

Testimony in support of this concurrent resolution was presented by the Office of Hawaiian Affairs, the Office of State Planning, and the Department of Hawaiian Home Lands.

Your Committee has amended this concurrent resolution by:

- (1) Deleting the phrase "but has failed to do so" from the end of the seventh WHEREAS clause on page two so that it would now read: "WHEREAS, the federal government also retained the power to review and approve amendments to the provisions of the Hawaiian Homes Commission Act and the power to sue to enforce its terms;" and
- (2) Deleting the first BE IT FURTHER RESOLVED clause that requests the President and Congress to recognize native Hawaiians as an indigenous native American people. Hawaiians are not native Americans, because they are the descendents of the indigenous people of the Hawaiian islands who had their own unique culture and language.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 29, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 29, H.D. 2.

Signed by all members of the Committee except Representatives Morihara and Tajiri.

SCRep. 1470 Finance on H.R. No. 10

The purpose of this resolution is to urge Hawaii's congressional delegation to propose an amendment to the United States Constitution that would ensure that the federal government provide sufficient funding to federally mandated programs over the programs' entire existence.

Your Committee finds that the establishment of federally mandated programs offers the federal government a convenient method of taking credit for expanding and developing new programs while exporting the burden of cost and

administration to the states. Your Committee strongly asserts that the federal government's use of "mandates" is an inappropriate intrusion upon the rights and powers of state government that ultimately hinders the State's ability to provide for the most basic and necessary services to the people of Hawaii.

In light of this, your Committee believes that firm steps must be taken to ensure that fiscal responsibility for governmental programs are distributed between the federal and state governments in a fair and prudent manner.

While your Committee is in accord with the intent of this measure, your Committee acknowledges that this measure, as received, does not address the recent introduction of federal legislation that proposes to address the issue of federally mandated programs.

Upon careful consideration, your Committee has amended this resolution by:

- (1) Inserting language to demonstrate the Legislature's support for the "Federal Mandate Relief Act of 1993"-- federal legislation that proposes to achieve a more equitable distribution of fiscal responsibility between state and federal governments;
- (2) Amending the title to reflect the insertion of the foregoing substantive amendment, and to read:

"HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE AND SUPPORT LEGISLATION THAT WOULD ENSURE THAT THE FEDERAL GOVERNMENT PROVIDE SUFFICIENT FUNDING TO FEDERALLY MANDATED PROGRAMS OVER THE PROGRAMS' ENTIRE EXISTENCE"; and
- (3) Making technical, nonsubstantive revisions for purposes of clarity, conformity, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 10, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 10, H.D. 1.

Signed by all members of the Committee except Representatives Morihara, Nekoba and Tajiri.

SCRep. 1471 Finance on H.C.R. No. 6

The purpose of this concurrent resolution is to urge Hawaii's congressional delegation to propose an amendment to the United States Constitution that would ensure that the federal government provide sufficient funding to federally mandated programs over the programs' entire existence.

Your Committee finds that the establishment of federally mandated programs offers the federal government a convenient method of taking credit for expanding and developing new programs while exporting the burden of cost and administration to the states. Your Committee strongly asserts that the federal government's use of "mandates" is an inappropriate intrusion upon the rights and powers of state government that ultimately hinders the State's ability to provide for the most basic and necessary services to the people of Hawaii.

In light of this, your Committee believes that firm steps must be taken to ensure that fiscal responsibility for governmental programs are distributed between the federal and state governments in a fair and prudent manner.

While your Committee is in accord with the intent of this measure, your Committee acknowledges that this measure, as received, does not address the recent introduction of federal legislation that proposes to address the issue of federally mandated programs.

Upon careful consideration, your Committee has amended this concurrent resolution by:

- (1) Inserting language to demonstrate the Legislature's support for the "Federal Mandate Relief Act of 1993"-- federal legislation that proposes to achieve a more equitable distribution of fiscal responsibility between state and federal governments;
- (2) Amending the title to reflect the insertion of the foregoing substantive amendment, and to read:

"HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE AND SUPPORT LEGISLATION THAT WOULD ENSURE THAT THE FEDERAL GOVERNMENT PROVIDE SUFFICIENT FUNDING TO FEDERALLY MANDATED PROGRAMS OVER THE PROGRAMS' ENTIRE EXISTENCE"; and
- (3) Making technical, nonsubstantive revisions for purposes of clarity, conformity, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee 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 except Representatives Morihara, Nekoba and Tajiri.

SCRep. 1472 Finance on H.R. No. 59

The purpose of this resolution is to request the Department of Business, Economic Development, and Tourism (DBEDT) to report to the Legislature on:

- (1) The types of tax incentives that may be offered to the general public and recycling businesses in order to encourage recycling, including deductions, exemptions, credits, or reduced tax rates on sales, property, gross income, or other taxes;
- (2) The estimated impact on state revenues of each type of incentive; and
- (3) An assessment of the success of similar programs that provide tax incentives to encourage recycling in other jurisdictions.

In addition, the resolution also requests:

- (1) DBEDT to report its findings, recommendations, and proposed legislation to the Legislature at least 20 days before the convening of the 1994 Regular Session; and
- (2) The Department of Health, the Department of Land and Natural Resources, and the Department of Taxation (DOTAX) to provide information and support to DBEDT in developing the report to the Legislature.

Your Committee received testimony in support of the resolution from DBEDT, which recognizes the importance of financial incentives to stimulate the recycling industry within the State. DOTAX testified in opposition to the resolution, and indicated that while recycling is an environmentally sound practice, the state tax system should not be the vehicle to encourage recycling, as providing tax incentives as a means to encourage recycling is not a sound tax policy.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 59, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Morihara, Nekoba and Tajiri.

SCRep. 1473 Finance on H.C.R. No. 63

The purpose of this concurrent resolution is to request the Department of Business, Economic Development, and Tourism (DBEDT) to report to the Legislature on:

- (1) The types of tax incentives that may be offered to the general public and recycling businesses in order to encourage recycling, including deductions, exemptions, credits, or reduced tax rates on sales, property, gross income, or other taxes;
- (2) The estimated impact on state revenues of each type of incentive; and
- (3) An assessment of the success of similar programs that provide tax incentives to encourage recycling in other jurisdictions.

In addition, the concurrent resolution also requests:

- (1) DBEDT to report its findings, recommendations, and proposed legislation to the Legislature at least 20 days before the convening of the 1994 Regular Session; and
- (2) The Department of Health, the Department of Land and Natural Resources, and the Department of Taxation (DOTAX) to provide information and support to DBEDT in developing the report to the Legislature.

Your Committee received testimony in support of the concurrent resolution from DBEDT, which recognizes the importance of financial incentives to stimulate the recycling industry within the State. DOTAX testified in opposition to the concurrent resolution, and indicated that while recycling is an environmentally sound practice, the state tax system should not be the vehicle to encourage recycling, as providing tax incentives as a means to encourage recycling is not a sound tax policy.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 63, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Morihara, Nekoba and Tajiri.

SCRep. 1474 Finance on H.R. No. 115

The purpose of this resolution is to request the University of Hawaii to conduct a study on teacher training in Hawaii, focusing on an evaluation of the relative merits of training in education versus training in a specific discipline.

Your Committee received testimony in support of the intent of this measure from the University of Hawaii and the Department of Education.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 115, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Morihara and Tajiri.

SCRep. 1475 Finance on H.C.R. No. 121

The purpose of this concurrent resolution is to request the University of Hawaii to conduct a study on teacher training in Hawaii, focusing on an evaluation of the relative merits of training in education versus training in a specific discipline.

Your Committee received testimony in support of the intent of this measure from the University of Hawaii and the Department of Education.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 121, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Morihara and Tajiri.

SCRep. 1476 Finance on H.R. No. 176

The purposes of this resolution are to request:

- (1) The Chairperson of the Board of Land and Natural Resources (BLNR) to undertake a study to determine if there is a positive, negative, or neutral correlation between the presence of artificial reefs, the practices of fish feeding, chumming, and palu, and shark risks to inshore recreation users; and
- (2) The BLNR to defer consideration of Conservation District Use Applications for new artificial reef development within the coastal area out to two miles between the Diamond Head Lighthouse and Honolulu Harbor until January 1995.

Various activities such as the practices of fish feeding and the establishment of artificial reefs have raised concerns that these activities might attract sharks into nearshore waters. The passage of this measure would help ensure that Hawaii's waters are safe and that there is a fair and proper use of Hawaii's ocean resources.

Testimony in support of this measure was submitted by the BLNR, the University of Hawaii, the Atlantis Submarines, Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board 5, Hawaii's Thousand Friends, Save Our Surf, the Kaimana Beach Coalition and the Rainbow Foundation, and a private citizen. The Ocean Recreation Council of Hawaii supported the measure with reservations.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 176, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Morihara, Nekoba and Tajiri.

SCRep. 1477 Finance on H.C.R. No. 180

The purposes of this concurrent resolution are to request:

- (1) The Chairperson of the Board of Land and Natural Resources (BLNR) to undertake a study to determine if there is a positive, negative, or neutral correlation between the presence of artificial reefs, the practices of fish feeding, chumming, and palu, and shark risks to inshore recreation users; and
- (2) The BLNR to defer consideration of Conservation District Use Applications for new artificial reef development within the coastal area out to two miles between the Diamond Head Lighthouse and Honolulu Harbor until January 1995.

Various activities such as the practices of fish feeding and the establishment of artificial reefs have raised concerns that these activities might attract sharks into nearshore waters. The passage of this measure would help ensure that Hawaii's waters are safe and that there is a fair and proper use of Hawaii's ocean resources.

Testimony in support of this measure was submitted by the BLNR, the University of Hawaii, the Atlantis Submarines, Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board 5, Hawaii's Thousand Friends, Save Our Surf, the Kaimana Beach Coalition and the Rainbow Foundation, and a private citizen. The Ocean Recreation Council of Hawaii supported the measure with reservations.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 180, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Morihara, Nekoba and Tajiri.

SCRep. 1478 Finance on H.R. No. 242

The purpose of this resolution is to reaffirm the Legislature's commitment toward the equitable provision of social security benefits to the people of Hawaii. Specifically, this resolution would urge the Congress of the United States of America to enact legislation to:

- (1) Eliminate inequities in the payment of social security benefits that are based on the year that the recipient initially becomes eligible for benefits; and
- (2) Eliminate the foregoing inequities without reducing the benefits of recipients born before 1917.

It has come to your Committee's attention that persons born during the years 1917 to 1926 receive lower social security benefits than persons who were born before 1917. In light of this, your Committee believes that the provisions of this measure will work to eliminate this inequity, as well as ensure that federal social security benefits are provided in a fair and just manner.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 242 and recommends its adoption.

Signed by all members of the Committee except Representatives Morihara and Tajiri.

SCRep. 1479 Finance on H.C.R. No. 247

The purpose of this concurrent resolution is to reaffirm the Legislature's commitment toward the equitable provision of social security benefits to the people of Hawaii. Specifically, this concurrent resolution would urge the Congress of the United States of America to enact legislation to:

- (1) Eliminate inequities in the payment of social security benefits that are based on the year that the recipient initially becomes eligible for benefits; and
- (2) Eliminate the foregoing inequities without reducing the benefits of recipients born before 1917.

It has come to your Committee's attention that persons born during the years 1917 to 1926 receive lower social security benefits than persons who were born before 1917. In light of this, your Committee believes that the provisions of this measure will work to eliminate this inequity, as well as ensure that federal social security benefits are provided in a fair and just manner.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 247 and recommends its adoption.

Signed by all members of the Committee except Representatives Morihara and Tajiri.

SCRep. 1480 Finance on H.R. No. 323

The purpose of this resolution is to request the Department of Budget and Finance to consider consolidating the management and operations of the:

- (1) Employees' Retirement System (ERS);
- (2) Hawaii Public Employees' Health Fund; and
- (3) Deferred Compensation Plan.

In addition, the resolution also requests the Department of Budget and Finance to transmit a report of the findings and recommendations resulting from the examination of the abovementioned request to the Legislature 20 days prior to the convening of the 1994 Regular Session.

Your Committee received testimony in support of the resolution from the Department of Budget and Finance. In its testimony, the Department of Budget and Finance indicated that the ERS, the Hawaii Public Employees' Health Fund, and the Deferred Compensation Plan have overlapping memberships among active and retired employees, maintain similar records on separate databases, and process similar actions, and therefore it believes there is potential for benefits from consolidating the recordkeeping and computer services of the three plans.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 323 and recommends its adoption.

Signed by all members of the Committee except Representatives Morihara, Nekoba and Tajiri.

SCRep. 1481 Finance on H.C.R. No. 347

The purpose of this concurrent resolution is to request the Department of Budget and Finance to consider consolidating the management and operations of the:

- (1) Employees' Retirement System (ERS);
- (2) Hawaii Public Employees' Health Fund; and
- (3) Deferred Compensation Plan.

In addition, the concurrent resolution also requests the Department of Budget and Finance to transmit a report of the findings and recommendations resulting from the examination of the abovementioned request to the Legislature 20 days prior to the convening of the 1994 Regular Session.

Your Committee received testimony in support of the concurrent resolution from the Department of Budget and Finance. In its testimony, the Department of Budget and Finance indicated that the ERS, the Hawaii Public Employees' Health Fund, and the Deferred Compensation Plan have overlapping memberships among active and retired employees, maintain similar records on separate databases, and process similar actions, and therefore it believes there is potential for benefits from consolidating the recordkeeping and computer services of the three plans.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 347 and recommends its adoption.

Signed by all members of the Committee except Representatives Morihara, Nekoba and Tajiri.

SCRep. 1482 Finance on H.R. No. 338

The purpose of this resolution is to request the United States Congress to give assurances to the states that the federal matching assistance percentage and the amounts received as federal matching funds by the states from the federal government under Title 19 of the Social Security Act will not be reduced.

Testimony in support of this measure was submitted by the Department of Human Services (Department).

The Department testified that over the past few years, the administration of the Medicaid program has been subject to significant increases in expenditures. The increase in expenditures, coupled with a decrease in federal funding, has required the Department to request additional funding from the State general fund to support the Medicaid population. The passage of this measure would hopefully preserve the current status of federal funding and prevent the need to request additional funding from the State.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 338 and recommends its adoption.

Signed by all members of the Committee except Representatives Morihara and Tajiri.

SCRep. 1483 Finance on H.C.R. No. 371

The purpose of this concurrent resolution is to request the United States Congress to give assurances to the states that the federal matching assistance percentage and the amounts received as federal matching funds by the states from the federal government under Title 19 of the Social Security Act will not be reduced.

Testimony in support of this measure was submitted by the Department of Human Services (Department).

The Department testified that over the past few years, the administration of the Medicaid program has been subject to significant increases in expenditures. The increase in expenditures, coupled with a decrease in federal funding, has required the Department to request additional funding from the State general fund to support the Medicaid population. The passage of this measure would hopefully preserve the current status of federal funding and prevent the need to request additional funding from the State.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 371 and recommends its adoption.

Signed by all members of the Committee except Representatives Morihara and Tajiri.

SCRep. 1484 Finance on H.R. No. 356

The purpose of this resolution is to request the University of Hawaii and the Department of Education, with the cooperation of the East-West Center, to coordinate activities relating to high-performance computing and communications in Hawaii.

Your Committee received testimony in strong support of this measure from the University of Hawaii and the Department of Education. The Maui Economic Development Board submitted testimony in support of the intent of the resolution, with a suggested amendment.

Upon consideration, your Committee has amended this measure by:

- (1) Including the Maui Economic Development Board in the coordination effort, as reflected in the amended title;
- (2) Transmitting a certified copy of the resolution to the President of the Maui Economic Development Board; and
- (3) Making other technical, non-substantive amendments for the purpose of consistency.

As affirmed by the record of votes of the members of your Committee on Finance that are attached to this report, your Committee concurs with the intent and purpose of H.R. No. 356, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 356, H.D. 1.

Signed by all members of the Committee except Representatives Morihara and Tajiri.

SCRep. 1485 Finance on H.C.R. No. 389

The purpose of this concurrent resolution is to request the University of Hawaii and the Department of Education, with the cooperation of the East-West Center, to coordinate activities relating to high-performance computing and communications in Hawaii.

Your Committee received testimony in strong support of this measure from the University of Hawaii and the Department of Education. The Maui Economic Development Board submitted testimony in support of the intent of the concurrent resolution, with a suggested amendment.

Upon consideration, your Committee has amended this measure by:

- (1) Including the Maui Economic Development Board in the coordination effort, as reflected in the amended title;
- (2) Transmitting a certified copy of the concurrent resolution to the President of the Maui Economic Development Board; and
- (3) Making other technical, non-substantive amendments for the purpose of consistency.

As affirmed by the record of votes of the members of your Committee on Finance that are attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 389, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 389, H.D. 1.

Signed by all members of the Committee except Representatives Morihara and Tajiri.

SCRep. 1486 Finance on H.R. No. 172

The purpose of this resolution is to convene a task force that would develop a strategic plan to encourage the development of a private school bus program that would allow the participation of public school students, when conducive, to assist in alleviating heavy traffic congestion and near gridlock conditions during peak traffic hours on major highways and arterials.

Testimony in support of the measure was submitted by the Department of Transportation, the Department of Accounting and General Services, the Department of Education, and the Hawaii Association of Independent Schools.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 172, H.D. 1, and recommend its adoption.

Signed by all members of the Committee except Representatives Morihara and Tajiri.

SCRep. 1487 Finance on H.C.R. No. 176

The purpose of this concurrent resolution is to convene a task force that would develop a strategic plan to encourage the development of a private school bus program that would allow the participation of public school students, when conducive, to assist in alleviating heavy traffic congestion and near gridlock conditions during peak traffic hours on major highways and arterials.

Testimony in support of the measure was submitted by the Department of Transportation, the Department of Accounting and General Services, the Department of Education, and the Hawaii Association of Independent Schools.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 176, H.D. 1, and recommend its adoption.

Signed by all members of the Committee except Representatives Morihara and Tajiri.

SCRep. 1488 Economic Development and Business Concerns on H.R. No. 277

The purpose of this resolution is to support efforts for Hawaii to become a role model and leader in the utilization and exportation of alternative, sustainable energy systems, products, and technologies by:

- (1) Urging all state and federal agencies, companies, businesses, and research programs to develop and utilize all forms of alternative, sustainable resources in an economically feasible manner; and export these technologies, products, and information to our Pacific Island neighbors;

- (2) Endorsing the efforts of the Pacific Business Center in identifying alternative sustainable energy resources and related business opportunities in the Pacific Islands; and
- (3) Encouraging other organizations to undertake similar activities that will assist our Pacific Island neighbors.

The Department of Business, Economic Development and Tourism testified in support of this resolution, mentioning a couple of Centers who are currently involved with utilizing and exporting alternative sustainable technologies.

Your Committee finds that Hawaii has great potential to play a major role in transferring renewable energy technologies throughout the Pacific region.

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 277 and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola, Tam and Marumoto.

SCRep. 1489 Economic Development and Business Concerns on H.C.R. No. 280

The purpose of this concurrent resolution is to support efforts for Hawaii to become a role model and leader in the utilization and exportation of alternative, sustainable energy systems, products, and technologies by:

- (1) Urging all state and federal agencies, companies, businesses, and research programs to develop and utilize all forms of alternative, sustainable resources in an economically feasible manner; and export these technologies, products, and information to our Pacific Island neighbors;
- (2) Endorsing the efforts of the Pacific Business Center in identifying alternative sustainable energy resources and related business opportunities in the Pacific Islands; and
- (3) Encouraging other organizations to undertake similar activities that will assist our Pacific Island neighbors.

The Department of Business, Economic Development and Tourism testified in support of this concurrent resolution, mentioning a couple of Centers who are currently involved with utilizing and exporting alternative sustainable technologies.

Your Committee finds that Hawaii has great potential to play a major role in transferring renewable energy technologies throughout the Pacific region.

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 280 and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola, Tam and Marumoto.

SCRep. 1490 Economic Development and Business Concerns on H.R. No. 250

The purpose of this House resolution is to support Hawaii's Distance Learning Technologies and Applications (DELTA-HAWAII) project proposal to the National Telecommunications and Information Administration, Public Telecommunications Facilities Program.

Favorable testimony on this resolution was submitted by Hawaii Information Network Corporation, the State Department of Budget and Finance, and the State Department of Education.

Your Committee finds that DELTA-HAWAII is a positive step toward building Hawaii's distance learning programs and Hawaii's future in education. The DELTA-HAWAII project extends the geographic service areas of the Hawaii Interactive Television System, establishes new origination and receives sites for education, training and community broadcasting through the integration of parallel networks. DELTA-HAWAII also promotes collaborative efforts and human network development within state agencies involved with distance learning technologies.

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 250 and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola, Tam and Marumoto.

SCRep. 1491 Economic Development and Business Concerns on H.C.R. No. 255

The purpose of this House concurrent resolution is to support Hawaii's Distance Learning Technologies and Applications (DELTA-HAWAII) project proposal to the National Telecommunications and Information Administration, Public Telecommunications Facilities Program.

Favorable testimony on this concurrent resolution was submitted by Hawaii Information Network Corporation, the State Department of Budget and Finance, and the State Department of Education.

Your Committee finds that DELTA-HAWAII is a positive step toward building Hawaii's distance learning programs and Hawaii's future in education. The DELTA-HAWAII project extends the geographic service areas of the Hawaii Interactive Television System, establishes new origination and receives sites for education, training and community broadcasting through the integration of parallel networks. DELTA-HAWAII also promotes collaborative efforts and human network development within state agencies involved with distance learning technologies.

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 255 and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola, Tam and Marumoto.

SCRep. 1492 Water and Land Use Planning; Higher Education and the Arts; and Ocean Recreation and Marine Resources on H.R. No. 303

The purpose of this resolution as received by your Committees is to request that the Office of State Planning study the feasibility of relocating the Kewalo Basin Marine Mammal Laboratory to a site other than that currently proposed, which is adjacent to the Sea Life Park parking lot.

Your Committees heard testimony from numerous individuals, as well as Earthwatch, the Office of State Planning, and the Hawaii Community Development Authority.

Dr. Louis Herman, Ph.D., the founder and Director of the Kewalo Basin Marine Mammal Laboratory (KBMML) and a tenured professor of Psychology at the University of Hawaii (UH), testified that KBMML provides UH students and interns from mainland and international universities and colleges, graduate education on the biology and behavior of dolphins and whales. Other individuals testified that the program is unique in that it is the only research facility of its kind directly associated with a university, and for this reason draws students from all over the world. There was testimony that KBMML is internationally prominent, and that its research findings have been widely published, acclaimed by the scientific community, and draw substantial amounts of research funding into the State. KBMML's work has also been featured in national television programs including NOVA, National Geographic Explorer, and Nature.

There was testimony that in addition to its research activities, KBMML performs substantial community outreach and education services by offering educational opportunities to Earthwatch members and school groups. In addition, graduates of the program serve as experts in the Whalewatch cruises enjoyed by visitors to the islands.

Your Committees were told that much support for the activities of the KBMML comes from volunteers as well students who commute to the KBMML by bicycle, bus, or moped from their classes at the University of Hawaii. There was testimony that relocation should account for the transportation restrictions on the KBMML's students and volunteers, because without the assistance of these individuals the KBMML could not continue to produce the high quality research that has made it famous. Your Committees were also told that at KBMML's present location, its programs, and in particular its community outreach, are hampered by lack of adequate space. Moreover, Dr. Herman and other individuals testified that space for additional facilities was necessary to provide proper accommodations for the newborn dolphins expected sometime in the next two years, when the KBMML's current four dolphins mature reproductively. There was testimony that those making the decision to relocate the program had not consulted with representatives of the KBMML since April 1992, and were completely unaware of the needs of the facility and its dolphins.

An individual testifying in his capacity as a registered civil engineer stated that upon his examination of the currently proposed relocation site, located adjacent to Sea Life Park and across Kalanianaʻole Highway from the ocean, he found that the site was inadequate to provide a one-for-one replacement of the KBMML tankage and support facilities, was unable to provide room for future expansion, and that the site's topography and geology was not suited to construction of research tanks and support facilities. An individual testifying in his capacity as a geologist, stated that the site was located on the toe of a slope which was tilted at the highest angle possible before movement of rocks and other debris would be observed. The geologist stated that there was evidence of "mass wasting" on the site, that adjacent areas represented mass wasting scars, and that the hydrology of the site added to its unstable nature.

Many of those testifying opposed the Sea Life Park site and supported relocation to a site either within or near the Kakaako Waterfront Park. Your Committees were told that it would be wasteful to spend the money necessary to make the Sea Life Park site workable as a research center given its physical characteristics as well as its inconvenient location and inability to provide necessary additional space for the KBMML. There was testimony that a site in or near the Kakaako Waterfront Park would not only meet the needs of the facility and its students, but would further the purposes of the waterfront redevelopment plan by enhancing both the educational and recreational value of the area as a facility open to both residents and tourists.

The Hawaii Community Development Authority (HCDA) testified in opposition to H.R. No. 303 as well as H.C.R. No. 313. The HCDA stated that negotiations with Dr. Louis Herman had begun almost four years ago and that there had been unsuccessful efforts to find a site, and that the arrangement with Sea Life Park had been arrived at under the assumption that all possible alternatives had been exhausted. HCDA stated that in 1991 the Legislature appropriated \$2,000,000 to relocate KBMML. In 1992 a letter of understanding was signed by the UH, Sea Life Park, and HCDA, stating that facilities of a grade at least equivalent grade were to be provided the KBMML. HCDA stated that its objective was to increase public recreational opportunities along the urban waterfront, and that relocation of the KBMML represented progress toward this objective. HCDA testified that accommodating the KBMML at an alternate location in Kakaako was neither practical nor suitable with respect to the overall development plan for the Kakaako waterfront area. However, HCDA also stated that the UH did not want to foreclose the possibility of the Sea Life Park site, but that HCDA would abandon the Sea Life Park site if it were the will of the Legislature.

The Office of State Planning (OSP) testified in opposition to the resolutions. OSP stated that the 1989 Honolulu Waterfront Master Plan included a thorough review of potential relocation sites for the KBMML and that a study of alternate site would only reiterate previously completed research. OSP stated that if the resolutions were adopted, the UH, which is responsible for the KBMML and had agreed to accept funds to relocate the program, should be directed to do the study.

Your Committees recognize that the redevelopment of the Honolulu Waterfront is a successful State undertaking that has provided clear benefits to the people of this State. However, your Committees do not desire that in the momentum generated by such a successful undertaking, that harm be caused to existing interests. Yet, given the testimony heard by your Committees, the relocation of the KBMML to the Sea Life Park site would apparently cause significant harm not only to the program as it exists now, but also to the program's future well-being and potential for growth. Your Committees are especially concerned with the possibility that this program will be harmed in light of its uniqueness, the high quality of its contributions, and the appropriateness of its endeavors to our island location. Your Committees believe this program deserves that greater care be taken in examining and developing alternatives for its relocation which account for the program's present and future needs. Your Committees are amending these resolutions to substitute the UH for the OSP, and hope that these resolutions will give the UH, as well as the KBMML, HCDA, and OSP, the impetus and energy that is necessary to reexamine this problem and find fresh solutions that will further the goals of both the Waterfront Master Plan, as well as the KBMML.

As affirmed by the records of votes of the members of your Committees on Water and Land Use Planning and Higher Education and the Arts and Ocean Recreation and Marine Resources that are attached to this report, your Committees are in accord with the intent and purpose of H.R. No. 303, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 303, H.D. 1.

Signed by all members of the Committees except Representatives Apo, Duldulao, Hirono, D. Ige, M. Ige, Kanoho, Tajiri, Yonamine and O'Kieffe.

SCRep. 1493 Water and Land Use Planning; Higher Education and the Arts; and Ocean Recreation and Marine Resources on H.C.R. No. 313

The purpose of this concurrent resolution as received by your Committees is to request that the Office of State Planning study the feasibility of relocating the Kewalo Basin Marine Mammal Laboratory to a site other than that currently proposed, which is adjacent to the Sea Life Park parking lot.

Your Committees heard testimony from numerous individuals, as well as Earthwatch, the Office of State Planning, and the Hawaii Community Development Authority.

Dr. Louis Herman, Ph.D., the founder and Director of the Kewalo Basin Marine Mammal Laboratory (KBMML) and a tenured professor of Psychology at the University of Hawaii (UH), testified that KBMML provides UH students and interns from mainland and international universities and colleges, graduate education on the biology and behavior of dolphins and whales. Other individuals testified that the program is unique in that it is the only research facility of its kind directly associated with a university, and for this reason draws students from all over the world. There was testimony that KBMML is internationally prominent, and that its research findings have been widely published, acclaimed by the scientific community, and draw substantial amounts of research funding into the State. KBMML's work has also been featured in national television programs including NOVA, National Geographic Explorer, and Nature.

There was testimony that in addition to its research activities, KBMML performs substantial community outreach and education services by offering educational opportunities to Earthwatch members and school groups. In addition, graduates of the program serve as experts in the Whalewatch cruises enjoyed by visitors to the islands.

Your Committees were told that much support for the activities of the KBMML comes from volunteers as well students who commute to the KBMML by bicycle, bus, or moped from their classes at the University of Hawaii. There was testimony that relocation should account for the transportation restrictions on the KBMML's students and volunteers, because without the assistance of these individuals the KBMML could not continue to produce the high quality research that has made it famous. Your Committees were also told that at KBMML's present location, its programs, and in particular its community outreach, are hampered by lack of adequate space. Moreover, Dr. Herman and other individuals testified that space for additional facilities was necessary to provide proper accommodations for the newborn dolphins expected sometime in the next two years, when the KBMML's current four dolphins mature reproductively. There was testimony that those making the decision to relocate the program had not consulted with representatives of the KBMML since April 1992, and were completely unaware of the needs of the facility and its dolphins.

An individual testifying in his capacity as a registered civil engineer stated that upon his examination of the currently proposed relocation site, located adjacent to Sea Life Park and across Kalaniana'ole Highway from the ocean, he found that the site was inadequate to provide a one-for-one replacement of the KBMML tankage and support facilities, was unable to provide room for future expansion, and that the site's topography and geology was not suited to construction of research tanks and support facilities. An individual testifying in his capacity as a geologist, stated that the site was located on the toe of a slope which was tilted at the highest angle possible before movement of rocks and other debris would be observed. The geologist stated that there was evidence of "mass wasting" on the site, that adjacent areas represented mass wasting scars, and that the hydrology of the site added to its unstable nature.

Many of those testifying opposed the Sea Life Park site and supported relocation to a site either within or near the Kakaako Waterfront Park. Your Committees were told that it would be wasteful to spend the money necessary to make the Sea Life Park site workable as a research center given its physical characteristics as well as its inconvenient location and inability to provide necessary additional space for the KBMML. There was testimony that a site in or near the

Kakaako Waterfront Park would not only meet the needs of the facility and its students, but would further the purposes of the waterfront redevelopment plan by enhancing both the educational and recreational value of the area as a facility open to both residents and tourists.

The Hawaii Community Development Authority (HCDA) testified in opposition to H.R. No. 303 as well as H.C.R. No. 313. The HCDA stated that negotiations with Dr. Louis Herman had begun almost four years ago and that there had been unsuccessful efforts to find a site, and that the arrangement with Sea Life Park had been arrived at under the assumption that all possible alternatives had been exhausted. HCDA stated that in 1991 the Legislature appropriated \$2,000,000 to relocate KBMML. In 1992 a letter of understanding was signed by the UH, Sea Life Park, and HCDA, stating that facilities of a grade at least equivalent grade were to be provided the KBMML. HCDA stated that its objective was to increase public recreational opportunities along the urban waterfront, and that relocation of the KBMML represented progress toward this objective. HCDA testified that accommodating the KBMML at an alternate location in Kakaako was neither practical nor suitable with respect to the overall development plan for the Kakaako waterfront area. However, HCDA also stated that the UH did not want to foreclose the possibility of the Sea Life Park site, but that HCDA would abandon the Sea Life Park site if it were the will of the Legislature.

The Office of State Planning (OSP) testified in opposition to the resolutions. OSP stated that the 1989 Honolulu Waterfront Master Plan included a thorough review of potential relocation sites for the KBMML and that a study of alternate site would only reiterate previously completed research. OSP stated that if the resolutions were adopted, the UH, which is responsible for the KBMML and had agreed to accept funds to relocate the program, should be directed to do the study.

Your Committees recognize that the redevelopment of the Honolulu Waterfront is a successful State undertaking that has provided clear benefits to the people of this State. However, your Committees do not desire that in the momentum generated by such a successful undertaking, that harm be caused to existing interests. Yet, given the testimony heard by your Committees, the relocation of the KBMML to the Sea Life Park site would apparently cause significant harm not only to the program as it exists now, but also to the program's future well-being and potential for growth. Your Committees are especially concerned with the possibility that this program will be harmed in light of its uniqueness, the high quality of its contributions, and the appropriateness of its endeavors to our island location. Your Committees believe this program deserves that greater care be taken in examining and developing alternatives for its relocation which account for the program's present and future needs. Your Committees are amending these resolutions to substitute the UH for the OSP, and hope that these resolutions will give the UH, as well as the KBMML, HCDA, and OSP, the impetus and energy that is necessary to reexamine this problem and find fresh solutions that will further the goals of both the Waterfront Master Plan, as well as the KBMML.

As affirmed by the records of votes of the members of your Committees on Water and Land Use Planning and Higher Education and the Arts and Ocean Recreation and Marine Resources that are attached to this report, your Committees are in accord with the intent and purpose of H.C.R. No. 313, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 313, H.D. 1.

Signed by all members of the Committees except Representatives Apo, Duldulao, Hirono, D. Ige, M. Ige, Kanoho, Tajiri, Yonamine and O'Kieffe.

SCRep. 1494 Water and Land Use Planning and Consumer Protection and Commerce on H.R. No. 202

The purpose of this resolution is to request the Department of Land and Natural Resources to waive the insurance requirements in State leases for non-profit activities in areas designated as Class 10 of the Hawaii Insurance Rating Bureau Public Protection Classification Manual until December 31, 1993.

Your Committees find that most insurers are now refusing to insure the improvements located in areas classified as Class 10 under the Hawaii Insurance Rating Bureau Public Protection Classification Manual, or are insuring the improvements with unreasonable restrictions or at premiums three to five times the pre-Iniki premiums.

The Department of Land and Natural Resources submitted favorable testimony stating, that the Department concurs that Hurricane Iniki has severely affected the insurance industry in the State of Hawaii, particularly the island of Kauai, causing a crisis in increased cost and restriction of new or renewed insurance policies. Therefore, the Department will be recommending to the Board of Land and Natural Resources that such insurance be waived through December 31, 1993.

As affirmed by the records of votes of the members of your Committees on Water and Land Use Planning and Consumer Protection and Commerce that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 202 and recommend its adoption.

Signed by all members of the Committees except Representatives Beirne, Herkes, Menor, Oshiro and Peters.

SCRep. 1495 Water and Land Use Planning and Consumer Protection and Commerce on H.C.R. No. 205

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources to waive the insurance requirements in State leases for non-profit activities in areas designated as Class 10 of the Hawaii Insurance Rating Bureau Public Protection Classification Manual until December 31, 1993.

Your Committees find that most insurers are now refusing to insure the improvements located in areas classified as Class 10 under the Hawaii Insurance Rating Bureau Public Protection Classification Manual, or are insuring the improvements with unreasonable restrictions or at premiums three to five times the pre-Iniki premiums.

The Department of Land and Natural Resources submitted favorable testimony stating, that the Department concurs that Hurricane Iniki has severely affected the insurance industry in the State of Hawaii, particularly the island of Kauai, causing a crisis in increased cost and restriction of new or renewed insurance policies. Therefore, the Department will be recommending to the Board of Land and Natural Resources that such insurance be waived through December 31, 1993.

As affirmed by the records of votes of the members of your Committees on Water and Land Use Planning and Consumer Protection and Commerce that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 205 and recommend its adoption.

Signed by all members of the Committees except Representatives Beirne, Herkes, Menor, Oshiro and Peters.

SCRep. 1496 Water and Land Use Planning on H.R. No. 403

The purpose of this resolution as received by your Committee is to request the Department of Land and Natural Resources (DLNR) to reconvene the Diamond Head Citizens Advisory Committee (DHCAC) for the purpose of assisting in the implementation of the Diamond Head State Monument Plan (Plan) and reviewing and making recommendations on proposed amendments to the Plan.

The DLNR testified that it would be pleased to reconvene the DHCAC with the understanding that staff and related agency assistance would be a factor in limiting the number or duration of meetings that the DLNR would be able to hold.

Hawaii's Thousand Friends (HTF), Diamond Head/Kapahulu/Saint Louis Heights Neighborhood Board (DH/K/SLH Neighborhood Board), Outdoor Circle, and Kapiolani Park Preservation Society testified in wholehearted support of both H.R. No. 403 and H.C.R. No. 451. However, HTF and the Outdoor Circle questioned the paragraph requesting that DLNR provide staff to the DHCAC, and thus the implied monetary request and referral to the Finance Committee. The Outdoor Circle testified that the DHCAC had worked well in the past with minor assistance from the DLNR, and HTF testified that many citizens organizations have internal staff or member support and could carry out required responsibilities with minimal assistance.

Other recommended amendments to the resolutions were as follows. HTF requested that the resolutions be amended to require that the DHCAC report to the Legislature include not only a description of DHCAC's activities, but also its recommendations. The DH/K/SLH Neighborhood Board testified that the Plan was carefully developed many years ago and has yet to be completed, and that instead of reviewing and making recommendations on amendments to the Plan, the DHCAC should focus on implementation. The Office of Hawaiian Affairs also testified before your Committee and requested that it be represented in the DHCAC because Diamond Head is situated on ceded lands.

The Department of Defense (DD) testified that the Plan was an excellent example of how government and community interests could meld together to serve a common goal, and that it was proud to have been part of the Citizens Advisory Committee that created the Diamond Head Monument Plan. DD testified that it had reservations regarding the reactivation of the DHCAC because of two recent incidents involving individuals associated with organizations with substantial interests in the status of the Diamond Head State Monument, one in which an individual demanded transcripts of ongoing emergency operations relating to Hurricane Iniki, and another in which litigation was threatened in relation to DD efforts to install a new electrical generator. The DD stated that these incidents caused it to wonder if the kinds of monitoring and evaluation activities that would be conducted by the DHCAC would be intrusive and obstructive to DD operations, and whether a state as opposed to community agency might be better suited to implementing the Plan.

Your Committee agrees with the intent of these resolutions and has also amended the resolutions to reflect the recommendations of those testifying. Your Committee would also like to assure the DD that these resolutions are not intended to undercut the operations of the DD, and to emphasize to all participants in the DHCAC that the State's heavy reliance on community involvement in the implementation of the Plan is appropriate and feasible only where there is goodwill and cooperation between all parties involved. To that end, your Committee has added several paragraphs to the resolution and has removed provisions requesting the DHCAC monitor and evaluate activities of affected agencies.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 403, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 403, H.D. 1.

Signed by all members of the Committee except Representatives Beirne and Kanoho.

SCRep. 1497 Water and Land Use Planning on H.C.R. No. 451

The purpose of this concurrent resolution as received by your Committee is to request the Department of Land and Natural Resources (DLNR) to reconvene the Diamond Head Citizens Advisory Committee (DHCAC) for the purpose of assisting in the implementation of the Diamond Head State Monument Plan (Plan) and reviewing and making recommendations on proposed amendments to the Plan.

The DLNR testified that it would be pleased to reconvene the DHCAC with the understanding that staff and related agency assistance would be a factor in limiting the number or duration of meetings that the DLNR would be able to hold.

Hawaii's Thousand Friends (HTF), Diamond Head/Kapahulu/Saint Louis Heights Neighborhood Board (DH/K/SLH Neighborhood Board), Outdoor Circle, and Kapiolani Park Preservation Society testified in wholehearted support of both H.R. No. 403 and H.C.R. No. 451. However, HTF and the Outdoor Circle questioned the paragraph requesting that DLNR provide staff to the DHCAC, and thus the implied monetary request and referral to the Finance Committee. The Outdoor Circle testified that the DHCAC had worked well in the past with minor assistance from the DLNR, and HTF

testified that many citizens organizations have internal staff or member support and could carry out required responsibilities with minimal assistance.

Other recommended amendments to the resolutions were as follows. HTF requested that the resolutions be amended to require that the DHCAC report to the Legislature include not only a description of DHCAC's activities, but also its recommendations. The DH/K/SLH Neighborhood Board testified that the Plan was carefully developed many years ago and has yet to be completed, and that instead of reviewing and making recommendations on amendments to the Plan, the DHCAC should focus on implementation. The Office of Hawaiian Affairs also testified before your Committee and requested that it be represented in the DHCAC because Diamond Head is situated on ceded lands.

The Department of Defense (DD) testified that the Plan was an excellent example of how government and community interests could meld together to serve a common goal, and that it was proud to have been part of the Citizens Advisory Committee that created the Plan. DD testified that it had reservations regarding the reactivation of the DHCAC because of two recent incidents involving individuals associated with organizations with substantial interests in the status of the Diamond Head State Monument, one in which an individual demanded transcripts of ongoing emergency operations relating to Hurricane Iniki, and another in which litigation was threatened in relation to DD efforts to install a new electrical generator. The DD stated that these incidents caused it to wonder if the kinds of monitoring and evaluation activities that would be conducted by the DHCAC would be intrusive and obstructive to DD operations, and whether a state as opposed to community agency might be better suited to implementing the Plan.

Your Committee agrees with the intent of these resolutions and has also amended the resolutions to reflect the recommendations of those testifying. Your Committee would also like to assure the DD that these resolutions are not intended to undercut the operations of the DD, and to emphasize to all participants in the DHCAC that the State's heavy reliance on community involvement in the implementation of the Plan is appropriate and feasible only where there is goodwill and cooperation between all parties involved. To that end, your Committee has added several paragraphs to the resolutions and has removed provisions requesting the DHCAC monitor and evaluate activities of affected agencies.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 451, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 451, H.D. 1.

Signed by all members of the Committee except Representatives Beirne and Kanoho.

SCRep. 1498 Water and Land Use Planning on H.R. No. 294

The purpose of this resolution is to request that the State Land Use Commission (LUC) fully consider the environmental and social impacts of further development in Aina Koa Valley in East Honolulu as well as the suitability of reclassifying conservation lands to urban use.

Four members of the Aina Koa Community Association testified that there is a petition before the LUC to redistrict 8.74 acres of conservation land in the valley. If approved, the land would be subdivided and eventually could accommodate 52 homes. The Aina Koa residents want the LUC to fully consider the community's concerns, especially with regard to:

- (1) Safety concerns - increased runoff from the site could result in flooding homes along the lower drainage channel;
- (2) Feasibility of the project - approximately 585 acres of urban land are already available for residential use elsewhere in the East Honolulu area; and
- (3) Impacts on the community - the existing soil movement problem will increase as a result of this construction work; in addition, tax assessments, traffic, noise, and dust may also increase in the valley as a result of this project.

The LUC had no objections to this resolution and indicated that it will weigh all of the concerns raised by interested parties and review the entire record of the proceedings before making its decision.

Your Committee has amended this measure by:

- (1) Correcting three references in the last WHEREAS clause: replacing 582 acres with 585 acres; deleting the phrase "within the urban boundary", and replacing the reference to the County General Plan with the County Development Plan;
- (2) Inserting two new WHEREAS clauses before the BE IT RESOLVED clause that relate to: the importance of conservation district lands in enhancing the value of abutting communities; and the Office of State Planning's conclusion that urban growth for the next ten years can be accommodated by redistricting agricultural lands not needed to sustain agricultural operations; and
- (3) Correcting a drafting error in the 5th WHEREAS clause on page two.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 294, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 294, H.D. 1.

Signed by all members of the Committee except Representatives Beirne and Kanoho.
(Representative Thielen voted no.)

SCRep. 1499 Water and Land Use Planning on H.C.R. No. 304

The purpose of this concurrent resolution is to request that the State Land Use Commission (LUC) fully consider the environmental and social impacts of further development in Aina Koa Valley in East Honolulu as well as the suitability of reclassifying conservation lands to urban use.

Four members of the Aina Koa Community Association testified that there is a petition before the LUC to redistrict 8.74 acres of conservation land in the valley. If approved, the land would be subdivided and eventually could accommodate 52 homes. The Aina Koa residents want the LUC to fully consider the community's concerns, especially with regard to:

- (1) Safety concerns - increased runoff from the site could result in flooding homes along the lower drainage channel;
- (2) Feasibility of the project - approximately 585 acres of urban land are already available for residential use elsewhere in the East Honolulu area; and
- (3) Impacts on the community - the existing soil movement problem will increase as a result of this construction work; in addition, tax assessments, traffic, noise, and dust may also increase in the valley as a result of this project.

The LUC had no objections to this concurrent resolution and indicated that it will weigh all of the concerns raised by interested parties and review the entire record of the proceedings before making its decision.

Your Committee has amended this measure by:

- (1) Correcting three references in the last WHEREAS clause: replacing 582 acres with 585 acres; deleting the phrase "within the urban boundary", and replacing the reference to the County General Plan with the County Development Plan;
- (2) Inserting two new WHEREAS clauses before the BE IT RESOLVED clause that relate to: the importance of conservation district lands in enhancing the value of abutting communities; and the Office of State Planning's conclusion that urban growth for the next ten years can be accommodated by redistricting agricultural lands not needed to sustain agricultural operations; and
- (3) Correcting a drafting error in the 6th WHEREAS clause on page two.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 304, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 304, H.D. 1.

Signed by all members of the Committee except Representatives Beirne and Kanoho.
(Representative Thielen voted no.)

SCRep. 1500 Judiciary on H.R. No. 267

The purpose of this resolution is to encourage the Puna Chamber of Commerce, Pahoa Main Street, and Peers Educating Peers at Pahoa School in their efforts to make Pahoa Drug Free.

Your Committee finds that young people growing up in Hawaii are increasingly exposed to illegal drugs.

Your Committee notes that in Pahoa, significant progress has been made by the community against the sale, distribution and use of drugs, due to the combined efforts of businesses, parents, teachers, young people, and other members of the Community.

Your Committee finds it fitting and proper that the House of Representatives add its voice and words of encouragement to those community groups who seek to make Pahoa drug-free.

Your Committee notes that three members of "Peers Educating Peers" (PEP), which is composed of students and former students of Pahoa School in the Puna District on the Big Island, testified recently before your Committee in support of drug control legislation, and their testimony has been incorporated into the hearing on this resolution.

Your Committee has amended the measure by changing language in the title and body of the resolution to further indicate that the House of Representatives encourages and is in strong support of the efforts of the community in the Puna District to create a drug-free environment.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 267, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 267, H.D. 1.

Signed by all members of the Committee except Representatives Bainum, Herkes, Hirono, Oshiro and Takamine.

SCRep. 1501 Judiciary on H.C.R. No. 269

The purpose of this concurrent resolution is to encourage the Puna Chamber of Commerce, Pahoa Main Street, and Peers Educating Peers at Pahoa School in their efforts to make Pahoa Drug Free.

Your Committee finds that young people growing up in Hawaii are increasingly exposed to illegal drugs.

Your Committee notes that in Pahoa, significant progress has been made by the community against the sale, distribution and use of drugs, due to the combined efforts of businesses, parents, teachers, young people, and other members of the Community.

Your Committee finds it fitting and proper that this Legislature add its voice and words of encouragement to those community groups who seek to make Pahoa drug-free.

Your Committee notes that three members of "Peers Educating Peers" (PEP), which is composed of students and former students of Pahoa School in the Puna District on the Big Island, testified recently before your Committee in support of drug control legislation, and their testimony has been incorporated into the hearing on this concurrent resolution.

Your Committee has amended the measure by changing language in the title and body of the concurrent resolution to further indicate that the Legislature encourages and is in strong support of the efforts of the community in the Puna District to create a drug-free environment.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 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 Representatives Bainum, Herkes, Hirono, Oshiro and Takamine.

SCRep. 1502 Judiciary on H.C.R. No. 27

The purpose of this concurrent resolution is to support and maintain the on-going mission of the Pacific Missile Range Facility (PMRF) located at Mana, Kauai.

Twenty-eight years ago, the PMRF was established and has since been acclaimed as the world's premier missile testing and fleet maneuvering site. At the national level, its strategic value and status as the foremost missile range facility preserves and enhances our nation's defenses. Its provision of garrison and effective training, testing, and evaluation facilities for our armed forces strengthens each unit's mobility and technical capabilities. At the local level, the PMRF contributes substantially to Kauai's economy by providing technical and skilled job opportunities for the residents.

Testimony in support of this measure was submitted by the State of Hawaii Department of Defense.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 27 and recommends its adoption.

Signed by all members of the Committee except Representatives Bainum, Bunda, Herkes, Hirono, Menor and Thielen.

SCRep. 1503 Judiciary on H.R. No. 206

The purpose of this resolution is to request employers in the State of Hawaii to respect the legal lifestyle activities of their employees.

As indicated in the substance of the measure, the objective of respecting employees' rights to engage in legal after-hours activities away from an employer's premises must be balanced against legitimate concerns by an employer which may arise from such activities.

The measure also takes into account the concerns of policy officers and employers who are religious entities or special interest non-profit organizations.

Your Committee received testimony in support of the measure from a representative of the Hawaii Government Employees Association.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 206 and recommends its adoption.

Signed by all members of the Committee except Representatives Bainum, Bunda, Herkes, Hirono, Menor and Thielen.

SCRep. 1504 Judiciary on H.C.R. No. 209

The purpose of this concurrent resolution is to request employers in the State of Hawaii to respect the legal lifestyle activities of their employees.

As indicated in the substance of the measure, the objective of respecting employees' rights to engage in legal after-hours activities away from an employer's premises must be balanced against legitimate concerns by an employer which may arise from such activities.

The measure also takes into account the concerns of policy officers and employers who are religious entities or special interest non-profit organizations.

Your Committee received testimony in support of the measure from a representative of the Hawaii Government Employees Association.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 209 and recommends its adoption.

Signed by all members of the Committee except Representatives Bainum, Bunda, Herkes, Hirono, Menor and Thielen.

SCRep. 1505 Judiciary on H.R. No. 36

The purpose of this resolution is to urge clarification of the laws pertaining to the use of political campaign signs in the City and County of Honolulu. This measure urges the City and County of Honolulu to enact regulations on the use of political campaign signs that will pass constitutional scrutiny.

In April, 1991, the United States District Court ruled against the City's existing ordinance that makes it unlawful to erect or maintain political campaign signs out-of-doors. The Court concluded that a flat-out ban on political campaign signs far exceeded the ordinance's stated purpose of preserving the aesthetic beauty of the City and promoting traffic safety. It also indicated that the ordinance placed an unconstitutional restriction on the public's freedom of speech. To date, attempts to enact a new political campaign sign ordinance have failed to gain City Council approval.

Your Committee finds that a solution which recognizes the public's constitutional freedom of speech while at the same time controls the indiscriminate posting of political campaign signs should be actively pursued.

A representative of The Outdoor Circle testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 36, H.D. 1 and recommends its adoption.

Signed by all members of the Committee except Representatives Bainum, Bunda, Herkes, Hirono, Menor and Thielen.

SCRep. 1506 Judiciary on H.C.R. No. 41

The purpose of this concurrent resolution is to urge clarification of the laws pertaining to the use of political campaign signs in the City and County of Honolulu. This measure urges the City and County of Honolulu to enact regulations on the use of political campaign signs that will pass constitutional scrutiny.

In April, 1991, the United States District Court ruled against the City's existing ordinance that makes it unlawful to erect or maintain political campaign signs out-of-doors. The Court concluded that a flat-out ban on political campaign signs far exceeded the ordinance's stated purpose of preserving the aesthetic beauty of the City and promoting traffic safety. It also indicated that the ordinance placed an unconstitutional restriction on the public's freedom of speech. To date, attempts to enact a new political campaign sign ordinance have failed to gain City Council approval.

Your Committee finds that a solution which recognizes the public's constitutional freedom of speech while at the same time controls the indiscriminate posting of political campaign signs should be actively pursued.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 41, H.D. 1 and recommends its adoption.

Signed by all members of the Committee except Representatives Bainum, Bunda, Herkes, Hirono, Menor and Thielen.

SCRep. 1507 Judiciary on H.R. No. 81

The purpose of this resolution, as amended, is to urge President Clinton to appoint Asian, Pacific, and Native Americans to top and middle-level administration posts.

Your Committee finds that although they share in the American Dream which links all of us, members of these groups have largely gone unrecognized by the Clinton administration to date. Your Committee believes that top and middle-level administration posts should look like America in all respects, and that efforts should be made by the Clinton administration to actively recruit from the large pool of qualified Asian, Pacific, and Native Americans for administration posts.

Your Committee received testimony in support of the measure from representatives of the Japanese American Citizens League, the National Rainbow Coalition, Inc., and the American Civil Liberties Union of Hawai'i.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 81, H.D. 1 and recommends its adoption.

Signed by all members of the Committee except Representatives Bainum, Bunda, Herkes, Hirono, Menor and Thielen.

SCRep. 1508 Judiciary on H.C.R. No. 83

The purpose of this concurrent resolution, as amended, is to urge President Clinton to appoint Asian, Pacific, and Native Americans to top and middle-level administration posts.

Your Committee finds that although they share in the American Dream which links all of us, members of these groups have largely gone unrecognized by the Clinton administration to date. Your Committee believes that top and middle-level administration posts should look like America in all respects, and that efforts should be made by the Clinton administration to actively recruit from the large pool of qualified Asian, Pacific, and Native Americans for administration posts.

Your Committee received testimony in support of the measure from representatives of the Japanese American Citizens League, the National Rainbow Coalition, Inc., and the American Civil Liberties Union of Hawai'i.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 83, H.D. 1 and recommends its adoption.

Signed by all members of the Committee except Representatives Bainum, Bunda, Herkes, Hirono, Menor and Thielen.

SCRep. 1509 Judiciary on H.R. No. 270

The purpose of this resolution is to ensure that Native Hawaiians are recognized and included in Native American entitlement programs provided by the United States government. Also, this resolution requests that the President and the Congress of the United States recognize Hawaiians as the aboriginal, indigenous people of the Hawaiian Islands. Additionally, this resolution requests the United States to formally recognize that it has a political and legal relationship with Hawaiians.

Testimony in support of this resolution was submitted by the Office of State Planning.

Your Committee finds that:

- (1) On the basis of its trust responsibilities, the United States has an on-going legal responsibility to the Hawaiians; and
- (2) Hawaiians have grounds for a special political and legal relationship with the United States similar to that of Native Americans.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 270, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Bainum, Bunda, Herkes, Hirono, Menor and Thielen.

SCRep. 1510 Judiciary on H.C.R. No. 272

The purpose of this concurrent resolution is to ensure that Native Hawaiians are recognized and included in Native American entitlement programs provided by the United States government. Also, this concurrent resolution requests that the President and the Congress of the United States recognize Hawaiians as the aboriginal, indigenous people of the Hawaiian Islands. Additionally, this concurrent resolution requests the United States to formally recognize that it has a political and legal relationship with Hawaiians.

Testimony in support of this concurrent resolution was submitted by the Office of State Planning.

Your Committee finds that:

- (1) On the basis of its trust responsibilities, the United States has an on-going legal responsibility to the Hawaiians; and
- (2) Hawaiians have grounds for a special political and legal relationship with the United States similar to that of Native Americans.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 272, H.D. 1 and recommends its adoption.

Signed by all members of the Committee except Representatives Bainum, Bunda, Herkes, Hirono, Menor and Thielen.

SCRep. 1511 Health on H.R. No. 147

The purpose of this resolution is to request the State Health Planning and Development Agency (SHIPDA) to follow up the work and recommendations of the Governor's Blue Ribbon Panel on Health Care Quality and Cost Containment.

Your Committee received favorable testimony from the Department of Health, the State Health Planning and Development Agency and the Office of State Planning, supporting the intent of this resolution.

It is noted by your Committee that health care reform is greatly needed in Hawaii, as well as the United States. It is also noted that another study on this issue would be a duplication of work that has already been done and will only delay implementation of the proposals of the Blue Ribbon Panel.

Your Committee further recognizes that if Hawaii is to effectively manage health care costs, it would be advantageous to recommend one entity, whether it be a task force or specified agency, to perform follow up work on the recommendations of the Governor's Blue Ribbon Panel.

Accordingly, your Committee has amended this resolution by requesting SHIPDA, rather than the Department of Commerce and Consumer Affairs and the Office of State Planning, to follow up on the recommendations of the Governor's Blue Ribbon Panel and continue with the process of health care reform rather than creating duplicate work by performing a study that already exists.

Your Committee has also amended this resolution by deleting language stating the requirements and purposes the Blue Ribbon Panel had been charged with.

Other technical nonsubstantive amendments were made for the purposes of consistency, clarity and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 147, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 147, H.D. 1.

Signed by all members of the Committee except Representatives Arakaki and Kawakami.

SCRep. 1512 Health on H.C.R. No. 155

The purpose of this concurrent resolution is to request the State Health Planning and Development Agency (SHIPDA) to follow up the work and recommendations of the Governor's Blue Ribbon Panel on Health Care Quality and Cost Containment.

Your Committee received favorable testimony from the Department of Health, the State Health Planning and Development Agency and the Office of State Planning, supporting the intent of this concurrent resolution.

It is noted by your Committee that health care reform is greatly needed in Hawaii, as well as the United States. It is also noted that another study on this issue would be a duplication of work that has already been done and will only delay implementation of the proposals of the Blue Ribbon Panel.

Your Committee further recognizes that if Hawaii is to effectively manage health care costs, it would be advantageous to recommend one entity, whether it be a task force or specified agency, to perform follow up work on the recommendations of the Governor's Blue Ribbon Panel.

Accordingly, your Committee has amended this concurrent resolution by requesting SHIPDA, rather than the Department of Commerce and Consumer Affairs and the Office of State Planning, to follow up on the recommendations of the Governor's Blue Ribbon Panel and continue with the process of health care reform rather than creating duplicate work by performing a study that already exists.

Your Committee has also amended this concurrent resolution by deleting language stating the requirements and purposes the Blue Ribbon Panel had been charged with.

Other technical nonsubstantive amendments were made for the purposes of consistency, clarity and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 155, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 155, H.D. 1.

Signed by all members of the Committee except Representatives Arakaki and Kawakami.

SCRep. 1513 Education and Intergovernmental Relations and International Affairs on H.R. No. 161

The purpose of this resolution is to request the Department of Education to negotiate with the Department of Defense to have the federal government assume a larger share of the cost of educating military dependents in Hawaii.

Your Committees heard testimony in favor of this resolution from a number of concerned citizens. The Department of Education and the Chamber of Commerce of Hawaii submitted testimony in opposition to this resolution.

Upon consideration, your Committees have amended this resolution by:

- (1) Clarifying that the Legislature supports the current federal Impact Aid Program, and the efforts of Hawaii's Congressional delegation to continue the program and obtain Hawaii's fair share of funding under it;
- (2) Specifying that the Department of Education is requested to work with the Legislature and Hawaii's Congressional delegation to obtain the maximum amount of funding possible under the Impact Aid Program;
- (3) Deleting provisions requesting the Department of Education to begin immediate action to separate schools educating mostly military dependents from the rest of Hawaii's public schools, and negotiate for the transfer of these schools to the federal government;
- (4) Inserting provisions for the Department of Education to consider the creation of separate military accounting school districts;
- (5) Requesting the Department of Education to consider the possibility of Section 6 financing arrangements only if the federal Impact Aid Program is discontinued, or if funds to Hawaii under the program are greatly reduced; and
- (6) Making other technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the records of votes of the members of your Committees on Education and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 161, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 161, H.D. 1.

Signed by all members of the Committees except Representatives Hagino, M. Ige and Ward.

SCRep. 1514 Education and Intergovernmental Relations and International Affairs on H.C.R. No. 165

The purpose of this concurrent resolution is to request the Department of Education to negotiate with the Department of Defense to have the federal government assume a larger share of the cost of educating military dependents in Hawaii.

Your Committees heard testimony in favor of this concurrent resolution from a number of concerned citizens. The Department of Education and the Chamber of Commerce of Hawaii submitted testimony in opposition to this concurrent resolution.

Upon consideration, your Committees have amended this concurrent resolution by:

- (1) Clarifying that the Legislature supports the current federal Impact Aid Program, and the efforts of Hawaii's Congressional delegation to continue the program and obtain Hawaii's fair share of funding under it;
- (2) Specifying that the Department of Education is requested to work with the Legislature and Hawaii's Congressional delegation to obtain the maximum amount of funding possible under the Impact Aid Program;
- (3) Deleting provisions requesting the Department of Education to begin immediate action to separate schools educating mostly military dependents from the rest of Hawaii's public schools, and negotiate for the transfer of these schools to the federal government;
- (4) Inserting provisions for the Department of Education to consider the creation of separate military accounting school districts;
- (5) Requesting the Department of Education to consider the possibility of Section 6 financing arrangements only if the federal Impact Aid Program is discontinued, or if funds to Hawaii under the program are greatly reduced; and
- (6) Making other technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the records of votes of the members of your Committees on Education and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 165, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 165, H.D. 1.

Signed by all members of the Committees except Representatives Hagino, M. Ige and Ward.

SCRep. 1515 Hawaiian Affairs on H.R. No. 66

The purpose of this resolution is to assist Native Hawaiians in obtaining federal entitlements by requesting that President Clinton and Congress take steps to resolve matters relating to Hawaiian Lands and federal trust obligations.

Testimony in support of this resolution was submitted by the Department of Hawaiian Home Lands, the Office of Hawaiian Affairs, the Office of State Planning, the Hawaiian Home Lands Action Network, the Native Hawaiian Legal

Corporation, and The Hawaii Chapter of the National Rainbow Coalition. Ka Lahui Hawaii and the Pro-Hawaiian Sovereignty Working Group opposed this measure.

Your Committee emendated this resolution so that the WHEREAS clauses directly relate to the BE IT RESOLVED clauses. Your Committee also corrected historical facts and amended this measure for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.R. No. 66, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 66, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Arakaki and Ihara.

SCRep. 1516 Hawaiian Affairs on H.C.R. No. 71

The purpose of this concurrent resolution is to assist Native Hawaiians in obtaining federal entitlements by requesting that President Clinton and Congress take steps to resolve matters relating to Hawaiian Lands and federal trust obligations.

Testimony in support of this concurrent resolution was submitted by the Department of Hawaiian Home Lands, the Office of Hawaiian Affairs, the Office of State Planning, the Hawaiian Home Lands Action Network, the Native Hawaiian Legal Corporation, and The Hawaii Chapter of the National Rainbow Coalition. Ka Lahui Hawaii and the Pro-Hawaiian Sovereignty Working Group opposed this measure.

Your Committee emendated this concurrent resolution so that the WHEREAS clauses directly relate to the BE IT RESOLVED clauses. Your Committee also corrected historical facts and amended this measure for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.C.R. No. 71, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 71, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Arakaki and Ihara.

SCRep. 1517 Hawaiian Affairs on H.R. No. 210

The purpose of this resolution is to reaffirm support for the restoration of human, civil, property, and sovereign rights of Hawaii's indigenous people. In this measure, the Legislature:

- (1) Declares that 1993 should serve Hawaii, the nation, and the world as a year of special reflection on the rights and dignities of the indigenous people of Hawaii; and
- (2) Recommits and reaffirms its efforts and support of indigenous Hawaiians in their struggles to address the federal government's illegal and immoral wrongdoings committed against them.

The Office of Hawaiian Affairs and an interested individual testified in support of this measure with suggested amendments.

Upon consideration, your Committee has amended this measure by:

- (1) Re-phrasing the second WHEREAS clause on page two;
- (2) Expanding the last BE IT FURTHER RESOLVED clause to include an additional recipient; and
- (3) Correcting typographic errors.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.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. 1518 Hawaiian Affairs on H.C.R. No. 213

The purpose of this concurrent resolution is to reaffirm support for the restoration of human, civil, property, and sovereign rights of Hawaii's indigenous people. In this measure, the Legislature:

- (1) Declares that 1993 should serve Hawaii, the nation, and the world as a year of special reflection on the rights and dignities of the indigenous people of Hawaii; and
- (2) Recommits and reaffirms its efforts and support of indigenous Hawaiians in their struggles to address the federal government's illegal and immoral wrongdoings committed against them.

The Office of Hawaiian Affairs and an interested individual testified in support of this measure with suggested amendments.

Upon consideration, your Committee has amended this measure by:

- (1) Re-phrasing the second WHEREAS clause on page two;
- (2) Expanding the last BE IT FURTHER RESOLVED clause to include an additional recipient; and
- (3) Correcting typographic errors.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 213, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 213, H.D. 1.

Signed by all members of the Committee.

SCRep. 1519 Hawaiian Affairs on H.R. No. 273

The purpose of this resolution is to strengthen international cooperation for the solution of problems faced by indigenous people, including the areas of human rights, the environment, development, education, and health, by recognizing 1993 as the United Nations' International Year of the World's Indigenous People. This measure also proclaims 1993 to be the Year of the World's Indigenous People in recognition of Hawaii's own population of indigenous people, the native Hawaiians.

The Office of Hawaiian Affairs testified in support of this resolution. An interested individual also submitted comments.

Your Committee has amended this measure by expanding the last BE IT FURTHER RESOLVED clause to include additional recipients.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 273, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 273, H.D. 1.

Signed by all members of the Committee.

SCRep. 1520 Hawaiian Affairs on H.C.R.No. 275

The purpose of this concurrent resolution is to strengthen international cooperation for the solution of problems faced by indigenous people, including the areas of human rights, the environment, development, education, and health, by recognizing 1993 as the United Nations' International Year of the World's Indigenous People. This measure also proclaims 1993 to be the Year of the World's Indigenous People in recognition of Hawaii's own population of indigenous people, the native Hawaiians.

The Office of Hawaiian Affairs testified in support of this concurrent resolution. An interested individual also submitted comments.

Your Committee has amended this measure by expanding the last BE IT FURTHER RESOLVED clause to include additional recipients.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 275, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 275, H.D. 1.

Signed by all members of the Committee.

SCRep. 1521 Hawaiian Affairs on H.R. No. 61

The purpose of this resolution is to support the use of creative methods of establishing residential housing. This measure urges the Hawaiian Homes Commission to revise its administrative rules to exempt the Puukapu pastoral lots on the Big Island from all State and county permits and zoning requirements so that the Puukapu awardees can utilize self-help housing concepts. To accomplish this, the Puukapu pastoral lots would be designated as a pilot project.

The Department of Hawaiian Home Lands (DHHL) supported the intent of this measure and suggested that references to amending its administrative rules be deleted due to its time-consuming requirements. Eighteen Puukapu lessees and two other lessees supported this measure.

Your Committee finds that DHHL should be given the flexibility of either amending its rules or working with the involved parties to see if a pilot project can be developed without a rule change. Accordingly, your Committee has amended this resolution by:

- (1) Re-phrasing the BE IT RESOLVED clause;
- (2) Replacing the first and second BE IT FURTHER RESOLVED clauses with a new clause that provides DHHL with an option on how to implement the pilot project; and

- (3) Deleting item 2 in the third BE IT FURTHER RESOLVED clause.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 61, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 61, H.D. 2.

Signed by all members of the Committee.

SCRep. 1522 Hawaiian Affairs on H.C.R. No. 66

The purpose of this concurrent resolution is to support the use of creative methods of establishing residential housing. This measure urges the Hawaiian Homes Commission to revise its administrative rules to exempt the Puukapu pastoral lots on the Big Island from all State and county permits and zoning requirements so that the Puukapu awardees can utilize self-help housing concepts. To accomplish this, the Puukapu pastoral lots would be designated as a pilot project.

The Department of Hawaiian Home Lands (DHHL) supported the intent of this measure and suggested that references to amending its administrative rules be deleted due to its time-consuming requirements. Eighteen Puukapu lessees and two other lessees supported this measure.

Your Committee finds that DHHL should be given the flexibility of either amending its rules or working with the involved parties to see if a pilot project can be developed without a rule change. Accordingly, your Committee has amended this concurrent resolution by:

- (1) Re-phrasing the BE IT RESOLVED clause;
- (2) Replacing the first and second BE IT FURTHER RESOLVED clauses with a new clause that provides DHHL with an option on how to implement the pilot project; and
- (3) Deleting item 2 in the third BE IT FURTHER RESOLVED clause.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 66, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 66, H.D. 2.

Signed by all members of the Committee.

SCRep. 1523 Legislative Management on H.C.R. No. 360

The purpose of this concurrent resolution is to request the State Auditor to conduct an audit of publicly-funded home care services for older adults in the State of Hawaii to include:

- (1) A comparison of the health and functional status of home care program clients with the health and functional status of residents of nursing facilities;
- (2) A comparison of public long-term care service costs and utilization patterns of older adults in home settings with the public long-term care service costs and utilization patterns of older adults in nursing facilities;
- (3) A determination of how home and community-based services affect family caregiver involvement and burden; and
- (4) A determination of the extent to which home care programs are accessible to the persons for whom the programs are intended.

Your Committee finds that with the aging of Hawaii's population, there is a need to examine the effectiveness and appropriateness of home care services being provided in Hawaii.

The following amendments have been made to this measure:

- (1) The title has been changed to read:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A REVIEW OF PROVIDERS OF HOME CARE SERVICES FOR OLDER ADULTS IN THE STATE OF HAWAII";
- (2) All references to the "Auditor" have been changed to the "Legislative Reference Bureau";
- (3) The first and second "WHEREAS" paragraphs have been changed to include a wider range of supportive and technical services;
- (4) The Hawaii Long Term Care Association and the Healthcare Association in Hawaii have been included in the "BE IT RESOLVED" and last "BE IT FURTHER RESOLVED" paragraphs; and

- (5) The first and second "BE IT FURTHER RESOLVED" paragraphs have been combined and the focus of the study has been clarified to make it more relevant to the health care community in Hawaii.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 360, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 360, H.D. 2.

Signed by all members of the Committee except Representatives Baker, Say, Souki and O'Kieffe.

SCRep. 1524 Legislative Management on H.R. No. 234

The purpose of this resolution is to request the Legislative Reference Bureau to conduct a study on the feasibility and impact of placing motor vehicle registration emblems (emblems) on the inside of the vehicle's rear window.

Your Committee finds that the emblems on the license plates have been subject to theft and vandalism because of its location, and consequently the cost of replacing the emblem must be assumed by the owner and taxpayers. Your Committee further finds that other states have already enacted legislation requiring the emblem to be placed on the inside of the motor vehicle's rear window.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 234 and recommends its adoption.

Signed by all members of the Committee except Representatives Baker, Say, Souki and O'Kieffe.

SCRep. 1525 Legislative Management on H.C.R. No. 237

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to conduct a study on the feasibility and impact of placing motor vehicle registration emblems (emblems) on the inside of the vehicle's rear window.

Your Committee finds that the emblems on the license plates have been subject to theft and vandalism because of its location, and consequently the cost of replacing the emblem must be assumed by the owner and taxpayers. Your Committee further finds that other states have already enacted legislation requiring the emblem to be placed on the inside of the motor vehicle's rear window.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 237 and recommends its adoption.

Signed by all members of the Committee except Representatives Baker, Say, Souki and O'Kieffe.

SCRep. 1526 Legislative Management on H.R. No. 119

The purpose of this resolution is to request the Legislative Auditor to conduct a study of the Little Davis-Bacon Act (Act), Chapter 104, Hawaii Revised Statutes. In determining whether the Act is being enforced, the study, among other things, examines the following:

- (1) The oversight roles of the Departments of Accounting and General Services and Labor and Industrial Relations, and other state and county departments;
- (2) Whether the certified payroll form should be modified to reflect fringe benefit payments;
- (3) Whether the classification system is being misused;
- (4) Whether additional personnel are needed to ensure Act enforcement; and
- (5) Whether relevant information is available to employees and bargaining agents to enable them to ascertain Act violations.

Testimony in support of the measure was submitted by the International Brotherhood of Electrical Workers, Local Union No. 1186. The Department of Labor and Industrial Relations submitted comments and stated that it was not opposed to the measure.

Your Committee has amended the resolution by:

- (1) Requiring the study to include determination and analysis of the following:
 - (A) Actions which should be taken to prevent violations of the Act;
 - (B) Existing penalty provisions applicable to the Act, including criminal penalties; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committee understands that the study shall include a look at in-state and out-of-state bid processes.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 119, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 119, H.D. 2.

Signed by all members of the Committee except Representatives Baker, Say, Souki and O'Kieffe.

SCRep. 1527 Legislative Management on H.C.R. No. 122

The purpose of this concurrent resolution is to request the Legislative Auditor to conduct a study of the Little Davis-Bacon Act (Act), Chapter 104, Hawaii Revised Statutes. In determining whether the Act is being enforced, the study, among other things, examines the following:

- (1) The oversight roles of the Departments of Accounting and General Services and Labor and Industrial Relations, and other state and county departments;
- (2) Whether the certified payroll form should be modified to reflect fringe benefit payments;
- (3) Whether the classification system is being misused;
- (4) Whether additional personnel are needed to ensure Act enforcement; and
- (5) Whether relevant information is available to employees and bargaining agents to enable them to ascertain Act violations.

Testimony in support of the measure was submitted by the International Brotherhood of Electrical Workers, Local Union No. 1186. The Department of Labor and Industrial Relations submitted comments and stated that it was not opposed to the measure.

Your Committee has amended the concurrent resolution by:

- (1) Requiring the study to include determination and analysis of the following:
 - (A) Actions which should be taken to prevent violations of the Act;
 - (B) Existing penalty provisions applicable to the Act, including criminal penalties; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committee understands that the study shall include a look at in-state and out-of-state bid processes.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 122, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 122, H.D. 2.

Signed by all members of the Committee except Representatives Baker, Say, Souki and O'Kieffe.

SCRep. 1528 Legislative Management on H.R. No. 302

The purpose of this resolution is to request the Speaker of the House of Representatives and the Senate President to establish and convene a task force to study the major problems facing commercial land lessors.

Testimony in support of this measure was submitted by the Department of Business, Economic Development, and Tourism; Classic Cars; the Industrial Business Association; the Hawaii Developers' Council; Excel Realty Hawaii; Wholesale Motors, Inc.; Legislative Information Services of Hawaii, Inc.; the Chamber of Commerce of Hawaii; the American Arbitration Association (AAA); and a number of private citizens.

Your Committee finds that high commercial rent is a major contributor to the cost of doing business in Hawaii. In order that Hawaii's industries and businesses can remain cost-competitive and continue to stay in business, lease rents must be kept affordable and not exceed the value of the leased land. Your Committee further notes that the AAA has expressed willingness to accept a leadership role in leading the task force.

The measure has been amended by:

- (1) Deleting reference to the "Speaker of the House of Representatives and the President of the Senate" in the "BE IT RESOLVED" and the last "BE IT FURTHER RESOLVED" paragraphs; and
- (2) Adding the "Industrial Business Association" and the "American Arbitration Association" in the third and last "BE IT FURTHER RESOLVED" paragraphs.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 302, H.D. 1, and recommends its adoption in the form attached hereto as H.R. No. 302, H.D. 2.

Signed by all members of the Committee except Representatives Baker, Say, Souki and O'Kieffe.

SCRep. 1529 Legislative Management on H.C.R. No. 312

The purpose of this concurrent resolution is to request the Speaker of the House of Representatives and the Senate President to establish and convene a task force to study the major problems facing commercial land lessors.

Testimony in support of this measure was submitted by the Department of Business, Economic Development, and Tourism; Classic Cars; the Industrial Business Association; the Hawaii Developers' Council; Excel Realty Hawaii; Wholesale Motors, Inc.; Legislative Information Services of Hawaii, Inc.; the Chamber of Commerce of Hawaii; the American Arbitration Association (AAA); and a number of private citizens.

Your Committee finds that high commercial rent is a major contributor to the cost of doing business in Hawaii. In order that Hawaii's industries and businesses can remain cost-competitive and continue to stay in business, lease rents must be kept affordable and not exceed the value of the leased land. Your Committee further notes that the AAA has expressed willingness to accept a leadership role in leading the task force.

The measure has been amended by:

- (1) Deleting reference to the "Speaker of the House of Representatives and the President of the Senate" in the "BE IT RESOLVED" and the last "BE IT FURTHER RESOLVED" paragraphs; and
- (2) Adding the "Industrial Business Association" and the "American Arbitration Association" in the third and last "BE IT FURTHER RESOLVED" paragraphs.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 312, H.D. 1, and recommends its adoption in the form attached hereto as H.C.R. No. 312, H.D. 2.

Signed by all members of the Committee except Representatives Baker, Say, Souki and O'Kieffe.

SCRep. 1530 Legislative Management on H.R. No. 419

The purpose of this resolution is to reaffirm the Legislature's commitment toward promoting the development of accessible and affordable residential housing for the people of the State of Hawaii. Specifically, this resolution would:

- (1) Request the Legislative Reference Bureau (LRB), in conjunction with the Hawaii Real Estate Research and Education Center (Center), to conduct a comprehensive examination of issues pertaining to non-profit organizations and the development of affordable residential housing in the State;
- (2) Request LRB and the Center to work with various non-profit organizations during the course of the above-referenced study; and
- (3) Instruct LRB to submit a report of the findings and recommendations to the Legislature at least twenty days prior to the convening of the Regular Session of 1994.

Testimony in support of this measure was submitted by the Housing Finance and Development Corporation, the University of Hawaii, the Affordable Housing Alliance, Honolulu Neighborhood Housing Services, Inc., and a graduate student.

Your Committee believes that the information requested in this measure will enhance the ability of lawmakers to develop prudent, creative, and effective methods of addressing Hawaii's residential housing crisis, and thus ensure the welfare of the general public.

The "BE IT RESOLVED" paragraph has been amended by:

- (1) Indicating that the non-profit organizations involved in the study to "include but not be limited to" those listed; and
- (2) Adding item 2 to identify efforts and successes of non-profit organizations in other states.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 419, H.D. 1, and recommends its adoption in the form attached hereto as H.R. No. 419, H.D. 2.

Signed by all members of the Committee except Representatives Baker, Say, Souki and O'Kieffe.

SCRep. 1531 Legislative Management on H.C.R. No. 476

The purpose of this concurrent resolution is to reaffirm the Legislature's commitment toward promoting the development of accessible and affordable residential housing for the people of the State of Hawaii. Specifically, this concurrent resolution would:

- (1) Request the Legislative Reference Bureau (LRB), in conjunction with the Hawaii Real Estate Research and Education Center (Center), to conduct a comprehensive examination of issues pertaining to non-profit organizations and the development of affordable residential housing in the State;
- (2) Request LRB and the Center to work with various non-profit organizations during the course of the above-referenced study; and
- (3) Instruct LRB to submit a report of the findings and recommendations to the Legislature at least twenty days prior to the convening of the Regular Session of 1994.

Testimony in support of this measure was submitted by the Housing Finance and Development Corporation, the University of Hawaii, the Affordable Housing Alliance, Honolulu Neighborhood Housing Services, Inc., and a graduate student.

Your Committee believes that the information requested in this measure will enhance the ability of lawmakers to develop prudent, creative, and effective methods of addressing Hawaii's residential housing crisis, and thus ensure the welfare of the general public.

The "BE IT RESOLVED" paragraph has been amended by:

- (1) Indicating that the non-profit organizations involved in the study to "include but not be limited to" those listed; and
- (2) Adding item 2 to identify efforts and successes of non-profit organizations in other states.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 476, H.D. 1, and recommends its adoption in the form attached hereto as H.C.R. No. 476, H.D. 2.

Signed by all members of the Committee except Representatives Baker, Say, Souki and O'Kieffe.

SCRep. 1532 Legislative Management on H.R. No. 418

The purpose of this resolution is to request the Legislative Reference Bureau (LRB) to conduct a study of the housing finance and development mechanisms, programs, and policies of other state entities. In addition, this resolution also requests LRB to submit a report of its findings and recommendations to the Legislature 20 days prior to the convening of the 1994 Regular Session.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 418, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Baker, Say, Souki and O'Kieffe.

SCRep. 1533 Legislative Management on H.C.R. No. 477

The purpose of this concurrent resolution is to request the Legislative Reference Bureau (LRB) to conduct a study of the housing finance and development mechanisms, programs, and policies of other state entities. In addition, this concurrent resolution also requests LRB to submit a report of its findings and recommendations to the Legislature 20 days prior to the convening of the 1994 Regular Session.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 477, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Baker, Say, Souki and O'Kieffe.

SCRep. 1534 Legislative Management on H.R. No. 310

The purpose of this resolution is to ask the Legislative Reference Bureau to conduct a statewide assessment of the higher education needs of Neighbor Island students.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 310, H.D. 1, and recommend its adoption.

Signed by all members of the Committee except Representatives Baker, Say, Souki and O'Kieffe.

SCRep. 1535 Legislative Management on H.C.R. No. 328

The purpose of this concurrent resolution is to ask the Legislative Reference Bureau to conduct a statewide assessment of the higher education needs of Neighbor Island students.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 328, H.D. 1, and recommend its adoption.

Signed by all members of the Committee except Representatives Baker, Say, Souki and O'Kieffe.

SCRep. 1536 Legislative Management on H.R. No. 369

The purpose of this resolution is to request CATRALA to provide the Legislature with documented problems and concerns of the car rental industry in Hawaii.

Your Committee finds the need to bring attention to the precarious position of the rental car industry brought on by external and internal forces, and to show that the rental car industry is interrelated to other industries in Hawaii as well as an integral part of the entire travel industry and the economy of the state.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 369, H.D. 1 and recommends its adoption.

Signed by all members of the Committee except Representatives Baker, Say, Souki and O'Kieffe.

SCRep. 1537 Legislative Management on H.C.R. No. 439

The purpose of this concurrent resolution is to request that the Auditor conduct a management and program audit to assess the effectiveness of:

- (1) The Child Welfare System of the Department of Human Services (DHS), Child Protective Services Agency with respect to services provided for child abuse and neglect recidivism; and
- (2) The State's child death review system, including an identification of the specific causes of child deaths.

The combination of three recent studies addressing issues relative to child abuse and neglect have indicated that there is a need for an overall review of the child welfare system operated by the DHS. It is necessary to ascertain whether the various programs are being operated in an efficient and appropriate manner. Your Committee notes that a review is particularly warranted in light of the new initiatives currently being undertaken by DHS and that the Legislature is particularly concerned about the State's Child Welfare Services Teaming Concept and its Child Death Review System.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. no. 439, H.D. 1 and recommends its adoption.

Signed by all members of the Committee except Representatives Baker, Say, Souki and O'Kieffe.

SCRep. 1538 Legislative Management on H.R. No. 99

The purpose of this resolution is to request that the Legislative Reference Bureau study the feasibility of the State providing liability insurance relief to adult residential care home operators.

Testimony in support of this measure was submitted by the United Group of Home Operators.

Due to the costs attributed to liability insurance premiums, many of Hawaii's adult residential care home operators find that it has become increasingly difficult to continue the provision of services to the elderly and the handicapped. In addition to the reduction or complete cessation of services provided, these costs have also affected the quality of services offered.

Your Committee has amended the "BE IT RESOLVED" paragraph by requesting the Legislative Reference Bureau to study the feasibility of seeking liability insurance relief in addition to providing a course of action. Also, technical, nonsubstantive amendments have been made for the purposes of style and consistency.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 99, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 99, H.D. 1.

Signed by all members of the Committee except Representatives Baker, Say, Souki and O'Kieffe.

SCRep. 1539 Legislative Management on H.C.R. No. 101

The purpose of this concurrent resolution is to request that the Legislative Reference Bureau study the feasibility of the State providing liability insurance relief to adult residential care home operators.

Testimony in support of this measure was submitted by the United Group of Home Operators.

Due to the costs attributed to liability insurance premiums, many of Hawaii's adult residential care home operators find that it has become increasingly difficult to continue the provision of services to the elderly and the handicapped. In addition to the reduction or complete cessation of services provided, these costs have also affected the quality of services offered.

Your Committee has amended the "BE IT RESOLVED" paragraph by requesting the Legislative Reference Bureau to study the feasibility of seeking liability insurance relief in addition to providing a course of action. Also, technical, nonsubstantive amendments have been made for the purposes of style and consistency.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 101, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 101, H.D. 1.

Signed by all members of the Committee except Representatives Baker, Say, Souki and O'Kieffe.

SCRep. 1540 Finance on H.R. No. 179

The purpose of this resolution is to request that the Department of Land and Natural Resources hold facilitated public informational meetings on the subject of management objectives and activities in the Puu O Umi reserve, Kohala forest reserve, and the Waimanu reserve, in order to provide the community with information about existing management activities, describe any planned future projects, and to take note of hunters' interests and concerns in developing pig management strategies.

Testimony in support of this resolution was submitted by a concerned citizen representing various hunting organizations from the Island of Hawaii. The Department of Land and Natural Resources submitted testimony in support of this resolution with the understanding that the cost of facilitated meetings must fall within the current no growth budget.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 179, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Nekoba, Tam and Ward.

SCRep. 1541 Finance on H.C.R. No. 183

The purpose of this concurrent resolution is to request that the Department of Land and Natural Resources hold facilitated public informational meetings on the subject of management objectives and activities in the Puu O Umi reserve, Kohala forest reserve, and the Waimanu reserve, in order to provide the community with information about existing management activities, describe any planned future projects, and to take note of hunters' interests and concerns in developing pig management strategies.

Testimony in support of this concurrent resolution was submitted by a concerned citizen representing various hunting organizations from the Island of Hawaii. The Department of Land and Natural Resources submitted testimony in support of this concurrent resolution with the understanding that the cost of facilitated meetings must fall within the current no growth budget.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 183, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Nekoba, Tam and Ward.

SCRep. 1542 Finance on H.R. No. 410

The purpose of this resolution is to establish a Domestic Violence Coordinating Council (Council) to conduct a study of the domestic violence jury trial backlog and its impacts on domestic violence victims, and propose solutions to the Legislature ensuring the judicial system's timely response to these cases.

Testimony in support of this measure was submitted by the Judiciary and the Hawaii State Commission on the Status of Women.

Your Committee has amended this resolution by:

- (1) Placing the Domestic Violence Coordinating Council under the auspices of the Center for Alternative Dispute resolution rather than the Judiciary; and
- (2) Making technical, nonsubstantive amendments for the purposes of consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 410, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 410, H.D. 2.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1543 Finance on H.C.R. No. 459

The purpose of this concurrent resolution is to establish a Domestic Violence Coordinating Council (Council) to conduct a study of the domestic violence jury trial backlog and its impacts on domestic violence victims, and propose solutions to the Legislature ensuring the judicial system's timely response to these cases.

Testimony in support of this measure was submitted by the Judiciary and the Hawaii State Commission on the Status of Women.

Your Committee has amended this concurrent resolution by:

- (1) Placing the Domestic Violence Coordinating Council under the auspices of the Center for Alternative Dispute resolution rather than the Judiciary; and
- (2) Making technical, nonsubstantive amendments for the purposes of consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 459, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 459, H.D. 2.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1544 Finance on H.R. No. 361

The purpose of this resolution is to express support for the year-round Waihee School on Maui which has existed as a pilot project since 1988 by requesting the Department of Education to:

- (1) Seek innovative ways to continue the project; and
- (2) Submit a report to the Legislature prior to the 1994 Regular Session regarding the Department's plans for the project, including an assessment of how to measure student achievement at year-round schools in areas other than test scores.

The Department of Education, testifying in support of this resolution, informed your Committee that it is ready to plan for the establishment of year-round education as a bona fide program within the public school system. This will enable the Department to support School/Community-Based Management schools that apply for waivers from the traditional September to June instructional calendar in order to engage in year-round education.

Your Committee has amended this resolution by directing that Waihee School intersession programs be fully funded.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 361, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 361, H.D. 2.

Signed by all members of the Committee except Representatives Nekoba, Tam and Ward.

SCRep. 1545 Finance on H.C.R. No. 400

The purpose of this concurrent resolution is to express support for the year-round Waihee School on Maui which has existed as a pilot project since 1988 by requesting the Department of Education to:

- (1) Seek innovative ways to continue the project; and
- (2) Submit a report to the Legislature prior to the 1994 Regular Session regarding the Department's plans for the project, including an assessment of how to measure student achievement at year-round schools in areas other than test scores.

The Department of Education, testifying in support of this concurrent resolution, informed your Committee that it is ready to plan for the establishment of year-round education as a bona fide program within the public school system. This will enable the Department to support School/Community-Based Management schools that apply for waivers from the traditional September to June instructional calendar in order to engage in year-round education.

Your Committee has amended this concurrent resolution by directing that Waihee School intersession programs be fully funded.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 400, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 400, H.D. 2.

Signed by all members of the Committee except Representatives Nekoba, Tam and Ward.

SCRep. 1546 Finance on H.R. No. 321

The purpose of this resolution is to urge the University of Hawaii to continue to place the highest priority on training nurses at its School of Nursing, and to use the maximum amount of resources available for that purpose.

This resolution also directs the President of the University and the Chair of the University of Hawaii Board of Regents to:

- (1) Conduct a study analyzing, among other things, nursing program drop-out rates, funding needs for support services to nursing students, the need for additional nursing faculty positions, methods to get more qualified people to apply for admission to schools of nursing, and methods of outreach to students on the neighbor islands; and
- (2) Submit a report to the Legislature prior to the 1994 Regular Session which details the results of the foregoing study and makes recommendations for proposed legislation.

Testimony in support of this measure was submitted by the School of Nursing of the University of Hawaii at Manoa, the Kapiolani Medical Center for Women and Children, the Hawaii Nurses' Association, and a retired public health nurse.

Your Committee has amended this measure by:

- (1) Requiring the President of the University of Hawaii and the Chair of the University Board of Regents to draw up a statewide staffing and facilities plan which will address training needs for the numbers of nurses needed in Hawaii in 1998 and thereafter; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 321, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 321, H.D. 2.

Signed by all members of the Committee except Representatives Morihara and Tajiri.

SCRep. 1547 Finance on H.C.R. No. 339

The purpose of this concurrent resolution is to urge the University of Hawaii to continue to place the highest priority on training nurses at its School of Nursing, and to use the maximum amount of resources available for that purpose.

This concurrent resolution also directs the President of the University and the Chair of the University of Hawaii Board of Regents to:

- (1) Conduct a study analyzing, among other things, nursing program drop-out rates, funding needs for support services to nursing students, the need for additional nursing faculty positions, methods to get more qualified people to apply for admission to schools of nursing, and methods of outreach to students on the neighbor islands; and
- (2) Submit a report to the Legislature prior to the 1994 Regular Session which details the results of the foregoing study and makes recommendations for proposed legislation.

Testimony in support of this measure was submitted by the School of Nursing of the University of Hawaii at Manoa, the Kapiolani Medical Center for Women and Children, the Hawaii Nurses' Association, and a retired public health nurse.

Your Committee has amended this measure by:

- (1) Requiring the President of the University of Hawaii and the Chair of the University Board of Regents to draw up a statewide staffing and facilities plan which will address training needs for the numbers of nurses needed in Hawaii in 1998 and thereafter; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 339, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 339, H.D. 2.

Signed by all members of the Committee except Representatives Morihara and Tajiri.

SCRep. 1548 Finance on H.R. No. 278

The purpose of this resolution is to support the establishment of a pre-commercial bioproducts demonstration center at Hilo-Hamakua as a cooperative partnership between federal, state, county, and private industry.

A pre-commercial bioproducts demonstration center can serve as an important bridge to the future for the sugar industry, preserve some of the current jobs and create new jobs, and stimulate next-generation bio-industries for the Hilo-Hamakua Coast.

The Department of Business, Economic Development & Tourism, the Board of Agriculture, and the Hawaii County Council submitted testimony in support of this resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 278, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1549 Finance on H.C.R. No. 281

The purpose of this concurrent resolution is to support the establishment of a pre-commercial bioproducts demonstration center at Hilo-Hamakua as a cooperative partnership between federal, state, county, and private industry.

A pre-commercial bioproducts demonstration center can serve as an important bridge to the future for the sugar industry, preserve some of the current jobs and create new jobs, and stimulate next-generation bio-industries for the Hilo-Hamakua Coast.

The Department of Business, Economic Development & Tourism, the Board of Agriculture, and the Hawaii County Council submitted testimony in support of this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 281, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1550 Finance on H.R. No. 102

The purpose of this resolution is to urge Hawaii's congressional delegation to initiate, and other congressional leaders to support, actions to provide the same rights and benefits to naturalized Filipino World War II veterans as are provided to other United States veterans.

Your Committee received testimony in support of this measure from the State of Hawaii Department of Defense's Office of Veterans Services.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 102, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1551 Finance on H.C.R. No. 105

The purpose of this concurrent resolution is to urge Hawaii's congressional delegation to initiate, and other congressional leaders to support, actions to provide the same rights and benefits to naturalized Filipino World War II veterans as are provided to other United States veterans.

Your Committee received testimony in support of this measure from the State of Hawaii Department of Defense's Office of Veterans Services.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 105, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1552 Finance on H.R. No. 295

The purpose of this resolution is to urge the Department of Health (Department) to work with the Hawaii Housing Authority, mental health service providers, advocacy groups for the seriously mentally ill and their families, including the Alliance for the Mentally Ill, the Office of United Self Help, the Mental Health Association, and housing providers to develop short and long term comprehensive broad spectrum plans to provide shelter and appropriate services for homeless mentally ill persons.

Testimony in support of the measure was submitted by the Department, the Hawaii State Alliance for the Mentally Ill, and the Mental Health Association in Hawaii. The Hawaii Housing Authority submitted comments stating that it is willing to work with the Department with respect to the portions of the measure that impacts the Department.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee 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 except Representatives Nekoba, Tam and Ward.

SCRep. 1553 Finance on H.C.R. No. 305

The purpose of this concurrent resolution is to urge the Department of Health (Department) to work with the Hawaii Housing Authority, mental health service providers, advocacy groups for the seriously mentally ill and their families, including the Alliance for the Mentally Ill, the Office of United Self Help, the Mental Health Association, and housing providers to develop short and long term comprehensive broad spectrum plans to provide shelter and appropriate services for homeless mentally ill persons.

Testimony in support of the measure was submitted by the Department, the Hawaii State Alliance for the Mentally Ill, and the Mental Health Association in Hawaii. The Hawaii Housing Authority submitted comments stating that it is willing to work with the Department with respect to the portions of the measure that impacts the Department.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 305, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Nekoba, Tam and Ward.

SCRep. 1554 Finance on H.R. No. 429

The purpose of this resolution is to request the Department of Business, Economic Development, and Tourism (DBEDT), with the assistance of the Department of Commerce and Consumer Affairs and the Department of Taxation (DOTAX), to recommend methods to subject visitors with time share interests who spend fewer than 180 consecutive days in their time share unit or who spend fewer than 180 days in another time share unit as a result of trading with another time share owner, to the transient accommodations tax (TAT) or other tax or fee.

Generally, many visitors who own time share interests are not subject to TAT on their temporary accommodations. Some hotels are planning to convert rooms to time share units and will also not be subject to TAT law. Since visitors with time share interests have similar characteristics as other visitors with regards to the length of stay and the type of facilities used, then these visitors should also be subject to TAT. In addition, if the time share owner rents and receives income from the time share unit, then it is the position of DOTAX and the Department of Attorney General that the transaction be taxable under TAT law.

Testimony in support of this measure was submitted by the Hawaii Hotel Association. DBEDT deferred to DOTAX who was not in opposition to the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 429, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Nekoba, Tam and Ward.

SCRep. 1555 Finance on H.C.R. No. 466

The purpose of this concurrent resolution is to request the Department of Business, Economic Development, and Tourism (DBEDT), with the assistance of the Department of Commerce and Consumer Affairs and the Department of Taxation (DOTAX), to recommend methods to subject visitors with time share interests who spend fewer than 180 consecutive days in their time share unit or who spend fewer than 180 days in another time share unit as a result of trading with another time share owner, to the transient accommodations tax (TAT) or other tax or fee.

Generally, many visitors who own time share interests are not subject to TAT on their temporary accommodations. Some hotels are planning to convert rooms to time share units and will also not be subject to TAT law. Since visitors with time share interests have similar characteristics as other visitors with regards to the length of stay and the type of facilities used, then these visitors should also be subject to TAT. In addition, if the time share owner rents and receives income from the time share unit, then it is the position of DOTAX and the Department of Attorney General that the transaction be taxable under TAT law.

Testimony in support of this measure was submitted by the Hawaii Hotel Association. DBEDT deferred to DOTAX who was not in opposition to the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 466, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Nekoba, Tam and Ward.

SCRep. 1556 Finance on H.R. No. 353

The purpose of this resolution is to affirm the Legislature's commitment to the restoration and re-dedication of the Waikiki War Memorial Natatorium as a "Living Memorial" in order to:

- (1) Recognize and validate the unique achievements of our past;
- (2) Honor the commitments made in perpetuity by the Territorial Legislature in 1921;
- (3) Commemorate the memories of the sons and daughters who gave their lives in defense of Hawaii's values; and

- (4) Inspire those who will contribute to Hawaii in the future through their achievements in the community, government, the military, or through physical fitness and athletic endeavors.

Supporting testimony was received from: the Department of Land and Natural Resources; the State Department of Defense's Office of Veterans Services; two members of the Friends of the Natatorium; the Hawaii Committee of U.S. Water Polo, Inc.; the Coalition to Restore the Natatorium; The Retired Officers' Association; the Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board 5; and three interested citizens.

In order for this restoration project to someday become a reality, your Committee strongly encourages volunteer organizations to seek private funding from the community-at-large, not only in Hawaii but throughout the nation as well.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 353 and recommends its adoption.

Signed by all members of the Committee except Representatives Nekoba, Tam and Ward.

SCRep. 1557 Finance on H.C.R. No. 386

The purpose of this concurrent resolution is to affirm the Legislature's commitment to the restoration and re-dedication of the Waikiki War Memorial Natatorium as a "Living Memorial" in order to:

- (1) Recognize and validate the unique achievements of our past;
- (2) Honor the commitments made in perpetuity by the Territorial Legislature in 1921;
- (3) Commemorate the memories of the sons and daughters who gave their lives in defense of Hawaii's values; and
- (4) Inspire those who will contribute to Hawaii in the future through their achievements in the community, government, the military, or through physical fitness and athletic endeavors.

Supporting testimony was received from: the Department of Land and Natural Resources; the State Department of Defense's Office of Veterans Services; two members of the Friends of the Natatorium; the Hawaii Committee of U.S. Water Polo, Inc.; the Coalition to Restore the Natatorium; The Retired Officers' Association; the Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board 5; and three interested citizens.

In order for this restoration project to someday become a reality, your Committee strongly encourages volunteer organizations to seek private funding from the community-at-large, not only in Hawaii but throughout the nation as well.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 386 and recommends its adoption.

Signed by all members of the Committee except Representatives Nekoba, Tam and Ward.

SCRep. 1558 Finance on H.C.R. No. 146

The purpose of this concurrent resolution is to authorize the Board of Land and Natural Resources to grant an easement over and/or to lease the following to Mauna Lani Resort, Inc.:

- (1) Not more than ten acres of submerged lands for the purposes of development, use, and maintenance of an access channel; and
- (2) Such other acreage as may be necessary for the limited purposes of development and maintenance of the access channel.

The foregoing acreage is situated in South Kohala, Hawaii, and is now under the jurisdiction of the Department of Land and Natural Resources.

This concurrent resolution does not intend to diminish the authority or responsibility of the Board of Land and Natural Resources to review the application for a grant of easement or lease and to exercise its full powers under Chapter 171, Hawaii Revised Statutes.

Testimony in support of the measure was submitted by County of Hawaii, the County Council of the County of Hawaii, the Hawaii Island Economic Development Board, the Hawaii Island Contractors' Association, the Hawaii Operating Engineers Industry Stabilization Fund, the Laborer's International Union of North America, Local 368, Edward K. Noda and Associates, the Waimea Hawaiian Civic Club, the Kahuna Nui and Kahu of the Mo'okini Heiau (North Kohala), several residents of the Kohala area, and other concerned citizens.

Testimony in opposition to the measure was submitted by the Honu Project, the Hawai'i Chapter of the Sierra Club, the Office of Hawaiian Affairs, the North Hawaii Surfers Association, the editor of Environment Hawai'i, Save our Surf, the Sierra Club West Hawaii Group, the Kona Hawaiian Civic Club, and a few concerned citizens.

Comments were also received from the Department of Land and Natural Resources and the Ocean Recreation Council of Hawaii.

Your Committee has amended this measure by:

- (1) Pointing out that the grant of easement or lease is contingent upon, among other things, the obtaining of all appropriate permits and approvals required by the County of Hawaii, the State of Hawaii, and the federal government;
- (2) Listing the county, state and federal permits and approvals which must be obtained;
- (3) Clarifying that the adoption of this concurrent resolution does not constitute legislative approval or disapproval of Mauna Lani's proposed project; and
- (4) Making technical, non-substantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 146, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 146, H.D. 1.

Signed by all members of the Committee except Representative Nakasone.
(Representatives Santiago and Tam voted no.)

SCRep. 1559 Finance on H.C.R. No. 317

The purpose of this concurrent resolution is to ask the Legislative Auditor, with the assistance of the federal programs coordinator, to assess how federal funding for social programs under the Departments of Human Services and Health can be maximized.

Your Committee received testimony in support of this measure from the Department of Health, the Department of Human Services, and the Mental Health Association in Hawai'i. The Office of State Planning also submitted testimony in support, but suggested that the assessment include all state agencies.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 317 and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1560 Finance on H.R. No. 393

The purpose of this resolution is to request the Speaker of the House of Representatives to convene an interim legislative task force on Medicaid which shall:

- (1) Review current Medicaid policies and develop proposals to address the issues of increasing Medicaid costs and maximizing federal matching funds; and
- (2) Submit a report of its findings and recommendations to the Legislature prior to the 1994 Regular Session.

Testimony in support of this resolution was submitted by the Departments of Health and Human Services. The Department of Health indicated that the 1993 interim will be an exciting time in health care system evolution on both state and national levels. Hawaii's health care delivery system may be affected by several federal health care reform proposals as well as President Clinton's Health Care Package. Both Departments welcomed the opportunity to work with the proposed task force.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 393 and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1561 Finance on H.R. No. 88

The purpose of this resolution is to request the Department of Business, Economic Development, and Tourism (DBEDT) to determine the roles and responsibilities of DBEDT, the Department of Land and Natural Resources, the Department of Health, the County of Hawaii, the Civil Defense Authorities, and the Public Utilities Commission with regard to geothermal development within the State.

The clarification of the respective roles and responsibilities of the agencies involved in the coordination and regulatory oversight of geothermal development activities will support all efforts with regards to the exploration, development, and generation of geothermal electricity in a safe and environmentally acceptable manner for use by the residents of this State.

Testimony in support of this measure was submitted by the DBEDT, True Geothermal Energy Company, the Hawaii Island Geothermal Alliance, and the Puna Geothermal Venture.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 88 and recommends its adoption.

Signed by all members of the Committee except Representatives Nekoba, Tam and Ward.

SCRep. 1562 Finance on H.R. No. 430

The purpose of this resolution is to request the House Committee on Human Services, in cooperation with a work group of many organizations and individuals, to establish an interim committee to address the issue of affordable long-term care financing options.

This resolution also:

- (1) Specifies that the work of the interim committee include:
 - (a) Addressing the concerns raised by legislators and the general public relating to the Family Hope Program proposal;
 - (b) A review and validation of the actuarial data compiled by the Executive Office on Aging for the Family Hope Program;
 - (c) A review of all four long-term care financing options presented to the 1991 Legislature;
 - (d) A review and analysis of any new creative proposals and their impact on individuals, the State budget, the long-term care industry, and the general State economy;
 - (e) Identification of the projected population to be covered, and the package of benefits and services to be provided by the various financing options; and
 - (f) A comparison of similarities and differences among Social Security, Medicare, Medicaid, and the Family Hope Program; and
- (2) Requests that the interim committee submit a report of its findings to the Legislature by October 1, 1993.

Testimony in support of the measure was received by the Healthcare Association of Hawaii; the Hawaii Government Employees Association (HGEA), AFSCME Local 152, AFL-CIO; the Retirees Unit of HGEA, AFSCME Local 152, AFL-CIO; the National Association of Retired Federal Employees in Hawaii; the Chamber of Commerce of Hawaii; and the Kokua Council for Senior Citizens. Your Committee received testimony in support of the intent of the resolution from the Department of Human Services. The Governor's Executive Office on Aging and the Governor's Policy and Advisory Board for Elderly Affairs (PABEA) submitted written comments on the resolution; however, PABEA indicated in its testimony that it voted unanimously to oppose the resolution during its monthly meeting on April 2, 1993.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 430, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Nekoba, Tam and Ward.

SCRep. 1563 Finance on H.R. No. 265

The purpose of this resolution is to ask the Departments of Education and Health to reach accord on a new memorandum of agreement for the provision of mental health services to children and youths, and develop a common vision for broader programs concerning mental health services for children and youths.

Your Committee received testimony in support of this measure from the Department of Health and the Department of Education, although both agencies expressed concern about the timeline specified in the resolution. Testimony in support of the resolution also was received from the Mental Health Association in Hawai'i, the State Advisory Council on Mental Health and Substance Abuse, and a concerned citizen.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 265, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Nekoba, Tam and Ward.

SCRep. 1564 Finance on H.C.R. No. 430

The purpose of this concurrent resolution is to request that the Legislative Reference Bureau conduct a comprehensive study on the revenue and service operations of all state-run small boat harbors and boat ramps.

The Ala Wai Boat Harbor Advisory Committee and Alexander & Baldwin, Inc. submitted testimony in support of this concurrent resolution. The Department of Land and Natural Resources submitted testimony stating that while the Department is not opposed to the study on boating facilities, there is no provision for any comparison with boating facilities operated by government agencies in other states upon which a relative fee-for-service evaluation can be based. The Department further stated that the study should also address the level of staffing presently provided at these facilities,

including the number of personnel and paygrade levels for the workload and level of responsibility assigned, as well as the existing fee structure.

The Legislative Reference Bureau submitted testimony stating that the Bureau is not the appropriate agency to respond to this measure. The Bureau noted that this concurrent resolution calls for a financial and management audit. The Ala Wai Marina Volunteer Clean-Up Effort and a concerned citizen submitted comments.

Upon careful consideration, your Committee has amended this concurrent resolution by:

- (1) Requesting that the Office of the State Auditor conduct a comprehensive study on the revenue and service operations of all state-run small boat harbors and boat ramps; and
- (2) Making technical, nonsubstantive changes for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 430, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 430, H.D. 2.

Signed by all members of the Committee except Representatives Nekoba, Tam and Ward.

SCRep. 1565 Finance on H.C.R. No. 423

The purpose of this concurrent resolution is to request the Legislative Auditor to:

- (1) Conduct a study of emergency and budget stabilization or "rainy day" funds established in other states; and
- (2) Recommend, based on the foregoing study, a "rainy day" fund model for Hawaii.

The concurrent resolution directs the Legislative Auditor to submit the foregoing to the Legislature prior to the convening of the 1994 Regular Session.

The Department of Budget and Finance submitted testimony in support of this concurrent resolution. This testimony indicated that over forty states have some type of budget stabilization fund, and that a study of the experiences of these states with regard to fund mechanics and effectiveness would be highly relevant to Hawaii.

Your Committee has amended this concurrent resolution by requiring that a certified copy thereof be transmitted to the Tax Foundation of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 423, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 423, H.D. 1.

Signed by all members of the Committee except Representatives Nekoba, Tam and Ward.

SCRep. 1566 Finance on H.R. No. 318

The purpose of this resolution is to request the Director of Budget and Finance to submit a report to the 1994 Legislature on the progress made in implementing the Hawaii Information Network Corporation (Hawaii INC), which was established through the enactment of Act 1, Session Laws of Hawaii 1988, Special Session.

Specifically, the report would include:

- (1) The current status of electronic access and distribution of data and information through Hawaii INC;
- (2) A listing of the data and information currently accessible electronically through Hawaii INC;
- (3) A listing of the various state departments that currently utilize Hawaii INC; and
- (4) An evaluation of the coordination between public and private information service providers to Hawaii INC.

In supporting this measure, the representative of Hawaii INC testified that while significant progress has been made since the official launch of the electronic services gateway, Hawaii FYI, there is still much to do relative to the information network. The representative added that Hawaii INC will work with the Department of Budget and Finance in generating the reports requested in this resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 318, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1567 Finance on H.C.R. No. 336

The purpose of this concurrent resolution is to request the Director of Budget and Finance to submit a report to the 1994 Legislature on the progress made in implementing the Hawaii Information Network Corporation (Hawaii INC), which was established through the enactment of Act 1, Session Laws of Hawaii 1988, Special Session.

Specifically, the report would include:

- (1) The current status of electronic access and distribution of data and information through Hawaii INC;
- (2) A listing of the data and information currently accessible electronically through Hawaii INC;
- (3) A listing of the various state departments that currently utilize Hawaii INC; and
- (4) An evaluation of the coordination between public and private information service providers to Hawaii INC.

In supporting this measure, the representative of Hawaii INC testified that while significant progress has been made since the official launch of the electronic services gateway, Hawaii FYI, there is still much to do relative to the information network. The representative added that Hawaii INC will work with the Department of Budget and Finance in generating the reports requested in this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 336, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1568 Finance on H.R. No. 159

The purpose of this resolution is to request the Department of Hawaiian Home Lands (DHHL), the Department of Land and Natural Resources (DLNR), and the Commission on Water Resources Management to report on the progress to date in fulfilling the duties mandated by Act 325, Session Laws of Hawaii (SLH) 1991.

The purpose of Act 325, SLH 1991, was to assure that adequate amounts of water are reserved for the future use of Hawaiian homesteaders.

Testimony in support of this measure was submitted by the DLNR and the DHHL.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 159 and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1569 Finance on H.C.R. No. 161

The purpose of this concurrent resolution is to request the Department of Hawaiian Home Lands (DHHL), the Department of Land and Natural Resources (DLNR), and the Commission on Water Resources Management to report on the progress to date in fulfilling the duties mandated by Act 325, Session Laws of Hawaii (SLH) 1991.

The purpose of Act 325, SLH 1991, was to assure that adequate amounts of water are reserved for the future use of Hawaiian homesteaders.

Testimony in support of this measure was submitted by the DLNR and the DHHL.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 161 and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1570 Finance on H.R. No. 281

The purpose of this resolution is to request the State Auditor to conduct a management and financial audit of the Hawaii Visitors Bureau (HVB) to investigate whether public funds are being properly and effectively utilized.

In addition, this resolution:

- (1) Requests that the audit include an analysis of the adequacy of HVB's marketing and promotional programs in meeting today's changing travel market, and an evaluation of HVB's effectiveness in complying with the State Auditor's recommendations of 1987; and
- (2) Instructs the State Auditor to submit a report of the findings and recommendations to the 1994 Legislature.

Comments on this measure were submitted by the Department of Business, Economic Development, and Tourism (DBEDT) and HVB.

According to testimony submitted by HVB, the last legislative audit of HVB was conducted in 1987.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 281, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1571 Finance on H.C.R. No. 284

The purpose of this concurrent resolution is to request the State Auditor to conduct a management and financial audit of the Hawaii Visitors Bureau (HVB) to investigate whether public funds are being properly and effectively utilized.

In addition, this concurrent resolution:

- (1) Requests that the audit include an analysis of the adequacy of HVB's marketing and promotional programs in meeting today's changing travel market, and an evaluation of HVB's effectiveness in complying with the State Auditor's recommendations of 1987; and
- (2) Instructs the State Auditor to submit a report of the findings and recommendations to the 1994 Legislature.

Comments on this measure were submitted by the Department of Business, Economic Development, and Tourism (DBEDT) and HVB.

According to testimony submitted by HVB, the last legislative audit of HVB was conducted in 1987.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 284, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1572 Finance on H.R. No. 425

The purpose of this resolution is to urge each print and broadcast media organization conducting business, preparing and disseminating reports on local and state events, or editorializing on local and state issues to establish a voluntary system of public financial disclosure.

This resolution would also clarify that the financial disclosure system should provide for public disclosures of:

- (1) The revenue sources and assets held by the owners, publishers, managers, editors, producers, and reporters involved in the formulation and dissemination of news stories; and
- (2) The expenses incurred and the dollar value of the space or air time for any endorsement or expression of support for or against any candidate, ballot question, or issue through its print or broadcast medium.

Supportive testimony was submitted by the Representative of the 43rd Representative District of the State of Hawaii; the President of the Senate of the State of Massachusetts; and concerned citizens. Testimony in opposition to this measure was submitted by the Hawaii Publishers Association; the Honolulu Community-Media Council; Davick Publications; the Honolulu Advertiser; and a concerned citizen.

According to testimony submitted by the Representative of the 43rd District, the media generates more than \$40 billion per year--an amount greater than the gross national product of more than 75% of the nations of the world. Because enormous profits are being realized by a concentrated group, concerns have been raised over the need for greater accountability and responsibility on the part of the media. In light of this, your Committee believes that the voluntary disclosure of financial information will enhance the accountability of print and broadcast media organizations, as well as serve the interests of the general public.

Upon careful consideration, your Committee has amended this resolution by inserting the correct name of the Senate President of the State of Massachusetts, William Bulger, and making technical, nonsubstantive revisions for the purposes of clarity, conformity, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 425, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 425, H.D. 2.

Signed by all members of the Committee except Representatives Nekoba, Tam and Ward.
(Representatives Morihara and Marumoto voted no.)

SCRep. 1573 Finance on H.C.R. No. 470

The purpose of this concurrent resolution is to urge each print and broadcast media organization conducting business, preparing and disseminating reports on local and state events, or editorializing on local and state issues to establish a voluntary system of public financial disclosure.

This concurrent resolution would also clarify that the financial disclosure system should provide for public disclosures of:

- (1) The revenue sources and assets held by the owners, publishers, managers, editors, producers, and reporters involved in the formulation and dissemination of news stories; and
- (2) The expenses incurred and the dollar value of the space or air time for any endorsement or expression of support for or against any candidate, ballot question, or issue through its print or broadcast medium.

Supportive testimony was submitted by the Representative of the 43rd Representative District of the State of Hawaii; the President of the Senate of the State of Massachusetts; and concerned citizens. Testimony in opposition to this measure was submitted by the Hawaii Publishers Association; the Honolulu Community-Media Council; Davick Publications; the Honolulu Advertiser; and a concerned citizen.

According to testimony submitted by the Representative of the 43rd District, the media generates more than \$40 billion per year--an amount greater than the gross national product of more than 75% of the nations of the world. Because enormous profits are being realized by a concentrated group, concerns have been raised over the need for greater accountability and responsibility on the part of the media. In light of this, your Committee believes that the voluntary disclosure of financial information will enhance the accountability of print and broadcast media organizations, as well as serve the interests of the general public.

Upon careful consideration, your Committee has amended this concurrent resolution by inserting the correct name of the Senate President of the State of Massachusetts, William Bulger, and making technical, nonsubstantive revisions for the purposes of clarity, conformity, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 470, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 470, H.D. 2.

Signed by all members of the Committee except Representatives Nekoba, Tam and Ward.
(Representatives Morihara and Marumoto voted no.)

SCRep. 1574 Finance on H.R. No. 50

The purpose of this resolution is to urge the United States Congress to reauthorize and strengthen the provisions of the Endangered Species Act, including doubling the funding ceilings for endangered species protection activities and authorizing full expenditure of funds set aside annually for Section 6 grants-to-states funding.

Testimony in support of this resolution was submitted by the Hawaii State Chapter of the National Rainbow Coalition, Inc.; Life of the Land; the National and Hawaii Audubon Societies; the Conservation Council of Hawaii; the Halawa Coalition; Citizens for Jobs and Environment; the O'ahu Rainforest Action Group; Hawaii's Thousand Friends; the O'ahu group of the Sierra Club; the National Resources Defense Council; and the Hawai'i Green Party.

The Hawaiian Sugar Planters' Association testified in opposition to this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 50, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Morihara, Nekoba and Tajiri.

SCRep. 1575 Finance on H.C.R. No. 59

The purpose of this concurrent resolution is to urge the United States Congress to reauthorize and strengthen the provisions of the Endangered Species Act, including doubling the funding ceilings for endangered species protection activities and authorizing full expenditure of funds set aside annually for Section 6 grants-to-states funding.

Testimony in support of this concurrent resolution was submitted by the Hawaii State Chapter of the National Rainbow Coalition, Inc.; Life of the Land; the National and Hawaii Audubon Societies; the Conservation Council of Hawaii; the Halawa Coalition; Citizens for Jobs and Environment; the O'ahu Rainforest Action Group; Hawaii's Thousand Friends; the O'ahu group of the Sierra Club; the National Resources Defense Council; and the Hawai'i Green Party.

The Hawaiian Sugar Planters' Association testified in opposition to this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 59, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Morihara, Nekoba and Tajiri.

SCRep. 1576 Finance on H.R. No. 181

The purpose of this resolution is to request the Board of Land and Natural Resources and the Department of Land and Natural Resources (DLNR) to take no further action that would adversely impact on the interest of hunters in the Laupahoehoe reserve area until:

- (1) The hunters' concerns are fully heard; and

- (2) A cooperative effort is undertaken to develop strategies that will protect the health of the Laupahoehoe Natural Area Reserve, and insure that the needs and interests of the hunters are adequately met.

The resolution also specifies that DLNR shall:

- (1) Prohibit any new fencing within the Laupahoehoe Natural Area Reserve System until the hunters' concerns are fully heard; and
- (2) Develop provisions regarding access of hunters in the Laupahoehoe Natural Area Reserve System, in cooperation with the hunters.

Your Committee received testimony in support of the measure from DLNR and a private citizen representing various hunting organizations from the island of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 181, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Nekoba, Tam and Ward.

SCRep. 1577 Finance on H.C.R. No. 185

The purpose of this concurrent resolution is to request the Board of Land and Natural Resources and the Department of Land and Natural Resources (DLNR) to take no further action that would adversely impact on the interest of hunters in the Laupahoehoe reserve area until:

- (1) The hunters' concerns are fully heard; and
- (2) A cooperative effort is undertaken to develop strategies that will protect the health of the Laupahoehoe Natural Area Reserve, and insure that the needs and interests of the hunters are adequately met.

The concurrent resolution also specifies that DLNR shall:

- (1) Prohibit any new fencing within the Laupahoehoe Natural Area Reserve System until the hunters' concerns are fully heard; and
- (2) Develop provisions regarding access of hunters in the Laupahoehoe Natural Area Reserve System, in cooperation with the hunters.

Your Committee received testimony in support of the measure from DLNR and a private citizen representing various hunting organizations from the island of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 185, H.D. 1, and recommends its adoption.

Signed by all members of the Committees except Representatives Nekoba, Tam and Ward.

SCRep. 1578 Finance on H.R. No. 272

The purpose of this resolution is to request the Governor to appoint an Economic Conversion Task Force (Task Force) within the Department of Business, Economic Development, and Tourism (DBEDT) to recommend the terms and conditions of a plan for economic conversion, which may be used to manage the shift from defense-related to civilian economic activity.

Among other things, the resolution also:

- (1) Specifies the responsibilities of the Task Force, which includes:
 - (a) An assessment of the nature and number of military and defense-related jobs and landholdings represented in Hawaii;
 - (b) A list of the defense contractors, subcontractors, and suppliers in the local economy;
 - (c) The current status of military downsizing in Hawaii, if any, and a comprehensive review of possible economic disruption;
 - (d) A summary of federal and state tax credit programs to apply to Hawaii businesses affected by cuts and the hiring of displaced workers; and
 - (e) Formation of a contingency action plan to ensure economic stability and minimize commercial and individual hardships; and
- (2) Requests the Task Force to prepare:

- (a) An interim report for submittal to the 1994 Legislature; and
- (b) A final report containing a completed contingency plan for state defense-to-civilian economic conversion and an outline of implementation procedures to the Legislature no later than 18 months from the date of the first meeting of the Task Force.

Your Committee notes that DBEDT has been working with other state agencies on a subcabinet task force to help resolve issues of importance to the military and the community. According to DBEDT testimony, the subcabinet task force has discussed potential future uses of military land that might become available. In addition, the State and the City and County of Honolulu are represented on various land use committees with the military leadership in Hawaii to deal with land conversion issues.

Your Committee received testimony in support of the resolution from DBEDT, the League of Women Voters of Hawaii, the Matsunaga Institute for Peace, the Community Council for the Spark M. Matsunaga Institute for Peace, and several concerned citizens.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 272, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.
(Representative Ward voted no.)

SCRep. 1579 Finance on H.C.R. No. 274

The purpose of this concurrent resolution is to request the Governor to appoint an Economic Conversion Task Force (Task Force) within the Department of Business, Economic Development, and Tourism (DBEDT) to recommend the terms and conditions of a plan for economic conversion, which may be used to manage the shift from defense-related to civilian economic activity.

Among other things, the concurrent resolution also:

- (1) Specifies the responsibilities of the Task Force, which includes:
 - (a) An assessment of the nature and number of military and defense-related jobs and landholdings represented in Hawaii;
 - (b) A list of the defense contractors, subcontractors, and suppliers in the local economy;
 - (c) The current status of military downsizing in Hawaii, if any, and a comprehensive review of possible economic disruption;
 - (d) A summary of federal and state tax credit programs to apply to Hawaii businesses affected by cuts and the hiring of displaced workers; and
 - (e) Formation of a contingency action plan to ensure economic stability and minimize commercial and individual hardships; and
- (2) Requests the Task Force to prepare:
 - (a) An interim report for submittal to the 1994 Legislature; and
 - (b) A final report containing a completed contingency plan for state defense-to-civilian economic conversion and an outline of implementation procedures to the Legislature no later than 18 months from the date of the first meeting of the Task Force.

Your Committee notes that DBEDT has been working with other state agencies on a subcabinet task force to help resolve issues of importance to the military and the community. According to DBEDT testimony, the subcabinet task force has discussed potential future uses of military land that might become available. In addition, the State and the City and County of Honolulu are represented on various land use committees with the military leadership in Hawaii to deal with land conversion issues.

Your Committee received testimony in support of the concurrent resolution from DBEDT, the League of Women Voters of Hawaii, the Matsunaga Institute for Peace, the Community Council for the Spark M. Matsunaga Institute for Peace, and several concerned citizens.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 274, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.
(Representative Ward voted no.)

SCRep. 1580 Finance on H.R. No. 257

The purpose of this resolution is to request that the Legislative Auditor conduct a performance and financial audit of the Community Hospital Information Processing System (CHIPS) to determine:

- (1) The amount of resources expended on the system;
- (2) The problems that have prevented its full implementation; and
- (3) The amount of additional resources needed to fully implement CHIPS.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association. The Department of Health testified in opposition to the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 257, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Nekoba, Tam and Ward.

SCRep. 1581 Finance on H.C.R. No. 261

The purpose of this concurrent resolution is to request that the Legislative Auditor conduct a performance and financial audit of the Community Hospital Information Processing System (CHIPS) to determine:

- (1) The amount of resources expended on the system;
- (2) The problems that have prevented its full implementation; and
- (3) The amount of additional resources needed to fully implement CHIPS.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association. The Department of Health testified in opposition to the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 261, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Nekoba, Tam and Ward.

SCRep. 1582 Finance on H.R. No. 122

The purpose of this resolution is to request the various departments, agencies, and offices of the State that are authorized to expend moneys out of any special or revolving fund to submit to the Legislature, on an annual basis, a complete report on the status of each revolving fund, including all deposits, withdrawals, interest earned, and expenditures made from the fund over the previous fiscal year.

Testimony in support of the measure was received from Common Cause Hawaii. Your Committee received testimony in support of the intent of the resolution from the Department of Budget and Finance and the League of Women Voters of Honolulu. Written comments on the resolution were submitted by the Department of Public Safety.

Upon careful consideration, your Committee has amended this resolution by:

- (1) Specifying that the report include a summary statement reflecting total fund transactions in the previous fiscal year, including the fund balance at the beginning of the fiscal year, total deposits and withdrawals, amount of interest earned, total expenditures made from the fund, and the ending fund balance; and
- (2) Requesting the report to be submitted to the Legislature 20 days prior to the convening of each regular session.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee 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 except Representative Nakasone.

SCRep. 1583 Finance on H.C.R. No. 125

The purpose of this concurrent resolution is to request the various departments, agencies, and offices of the State that are authorized to expend moneys out of any special or revolving fund to submit to the Legislature, on an annual basis, a complete report on the status of each revolving fund, including all deposits, withdrawals, interest earned, and expenditures made from the fund over the previous fiscal year.

Testimony in support of the measure was received from Common Cause Hawaii. Your Committee received testimony in support of the intent of the concurrent resolution from the Department of Budget and Finance and the League of Women Voters of Honolulu. Written comments on the concurrent resolution were submitted by the Department of Public Safety.

Upon careful consideration, your Committee has amended this concurrent resolution by:

- (1) Specifying that the report include a summary statement reflecting total fund transactions in the previous fiscal year, including the fund balance at the beginning of the fiscal year, total deposits and withdrawals, amount of interest earned, total expenditures made from the fund, and the ending fund balance; and
- (2) Requesting the report to be submitted to the Legislature 20 days prior to the convening of each regular session.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee 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 except Representative Nakasone.

SCRep. 1584 Finance on H.R. No. 365

The purpose of this resolution is to ask state agencies to give preference when granting stationery contracts to businesses that pay their employees the prevailing wage.

The Hawaii Government Employees Association, the Graphic Communications International Union Local 501-M, and Service Printers, Inc. submitted testimony in support of the resolution. Legislative Information Services of Hawaii, Inc. submitted comments on the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 365, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1585 Finance on H.C.R. No. 404

The purpose of this concurrent resolution is to ask state agencies to give preference when granting stationery contracts to businesses that pay their employees the prevailing wage.

The Hawaii Government Employees Association, the Graphic Communications International Union Local 501-M, and Service Printers, Inc. submitted testimony in support of the concurrent resolution. Legislative Information Services of Hawaii, Inc. submitted comments on the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 404, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1586 Finance on H.R. No. 434

The purpose of this resolution is request that the Legislative Auditor conduct an audit of the management of the Traffic Violations Bureau.

The Judiciary submitted testimony acknowledging the necessity for improving the present system that is utilized by the Traffic Violations Bureau; however, the Judiciary requested this audit be deferred for at least one year. This deferment would allow several initiatives to be implemented, which may alleviate some of the current problems. In addition, these initiatives may make a difference in the management of the Traffic Violations Bureau.

Nonetheless, your Committee finds that it is appropriate to have the Legislative Auditor conduct an audit of the management of the Traffic Violations Bureau and submit its findings and recommendations prior to the convening of the 1994 Regular Session.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 434, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1587 Finance on H.C.R. No. 489

The purpose of this concurrent resolution is request that the Legislative Auditor conduct an audit of the management of the Traffic Violations Bureau.

The Judiciary submitted testimony acknowledging the necessity for improving the present system that is utilized by the Traffic Violations Bureau; however, the Judiciary requested this audit be deferred for at least one year. This deferment would allow several initiatives to be implemented, which may alleviate some of the current problems. In addition, these initiatives may make a difference in the management of the Traffic Violations Bureau.

Nonetheless, your Committee finds that it is appropriate to have the Legislative Auditor conduct an audit of the management of the Traffic Violations Bureau and submit its findings and recommendations prior to the convening of the 1994 Regular Session.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 489, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1588 Finance on H.R. No. 366

The purpose of this resolution is to urge the Department of Land and Natural Resources, the Department of Health (DOH), and the County of Maui to develop a coordinated, joint plan of algae removal in the nearshore waters of Maui County.

In addition to water pollution, the presence of algae in nearshore waters have led to the degradation of reefs and coral, reduction of fish habitats, and a decline in the populations of fish species. Moreover, nesting rats, swarming flies, and noxious odors of hydrogen sulfide are the by-products of these algae deposits which, by law, have been declared a public nuisance and a probable health hazard.

Testimony in support of this measure was submitted by the DOH and the West Maui Taxpayers Association.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 366 and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1589 Finance on H.C.R. No. 405

The purpose of this concurrent resolution is to urge the Department of Land and Natural Resources, the Department of Health (DOH), and the County of Maui to develop a coordinated, joint plan of algae removal in the nearshore waters of Maui County.

In addition to water pollution, the presence of algae in nearshore waters have led to the degradation of reefs and coral, reduction of fish habitats, and a decline in the populations of fish species. Moreover, nesting rats, swarming flies, and noxious odors of hydrogen sulfide are the by-products of these algae deposits which, by law, have been declared a public nuisance and a probable health hazard.

Testimony in support of this measure was submitted by the DOH and the West Maui Taxpayers Association.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 405 and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1590 Finance on H.R. No. 394

The purpose of this resolution is to request that the Department of Hawaiian Home Lands (DHHL) conduct an audit of the sugarcane lease entitlement to Hawaiian Home Lands as provided by Act 316, Session Laws Hawaii (SLH) 1992.

The audit is to include specifications for a monitoring and reporting system of income generated from the use of state lands under sugarcane cultivation on November 7, 1978, and water licenses.

Pursuant to Act 316, SLH 1992, the Legislature appropriated \$100.00 for an audit of sugarcane lease entitlement of Hawaiian Home Lands. The audit is to assure that DHHL receives its full sugarcane revenue entitlement as provided by the Hawaiian Homes Commission Act of 1920 and the Hawaii State Constitution.

Testimony in support of this measure was submitted by the DHHL.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 394 and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1591 Finance on H.C.R. No. 442

The purpose of this concurrent resolution is to request that the Department of Hawaiian Home Lands (DHHL) conduct an audit of the sugarcane lease entitlement to Hawaiian Home Lands as provided by Act 316, Session Laws Hawaii (SLH) 1992.

The audit is to include specifications for a monitoring and reporting system of income generated from the use of state lands under sugarcane cultivation on November 7, 1978, and water licenses.

Pursuant to Act 316, SLH 1992, the Legislature appropriated \$100,00 for an audit of sugarcane lease entitlement of Hawaiian Home Lands. The audit is to assure that DHHL receives its full sugarcane revenue entitlement as provided by the Hawaiian Homes Commission Act of 1920 and the Hawaii State Constitution.

Testimony in support of this measure was submitted by the DHHL.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 442 and recommends its adoption.

Signed by all members of the Committee except Representative Nakasone.

SCRep. 1592 Health and Human Services on S.C.R. No. 133

The purpose of this concurrent resolution is to urge the President of the United States to support and provide funding for the Healthy Families America Initiative as part of the long term national economic recovery program.

Testimonies in support of this concurrent resolution were received from the Hawaii Medical Association and the Parents and Children Together program.

Your Committees recognized that the family is the basic unit which provides strength in the United States and that abuse and neglect within the family threaten to destroy this strength.

It was also noted that the Healthy Families America program will provide needed support for high risk parents for child abuse and neglect. Your Committees feel that ultimately, this program will be highly beneficial to society as a whole.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 133, S.D. 1, and recommend that it be referred to the Committee on Finance in the form attached hereto as S.C.R. No. 133, S.D. 1.

Signed by all members of the Committees except Representatives Ihara, Kawakami and Peters.

SCRep. 1593 Health on S.C.R. No. 242

The purpose of this concurrent resolution is to urge the business community to voluntarily implement smoking policies in the workplace.

Your Committee has received testimony in support of this concurrent resolution from the Department of Health, the Hawaii Medical Association, the American Lung Association and various other persons.

Your Committee recognizes that second hand smoke has been classed as a class A carcinogen and that non-smokers have been involuntarily subjected to this health hazard for years.

It was also noted by your Committee that environmental tobacco smoke (ETS), commonly known as second hand smoke, is responsible for approximately 3,000 deaths per year.

Accordingly, your Committee has amended this concurrent resolution to include language that would ask employers to advise their employment applicants of their smoking policy prior to hiring.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 242, S.D. 1, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as S.C.R. No. 242, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Arakaki, Chun and Kawakami.

SCRep. 1594 Health on S.C.R. No. 125

The purpose of this concurrent resolution is to request the family support action committee in cooperation with the State Planning Council on Developmental Disabilities to submit an implementation plan to enhance and expand family support services to families of persons with disabilities.

Your Committee received testimony in favor of this concurrent resolution from the Department of Health, the State Planning Council on Developmental Disabilities, the Commission on Persons with Disabilities, the Autism Society of Hawaii and Project Po'ohala.

It was noted by your Committee that currently, support services for families of persons with disabilities are typically inadequate or non-existent. Many families have a difficult time leading a normal, productive, healthy family lifestyle because of the challenges they face daily in dealing with a disabled family member.

Your Committee believes that expansion and enhancement of the family support services will be a tremendous asset to many families in need.

After careful consideration, your Committee has amended this concurrent resolution by adding language that would identify the advantages of instituting a self sufficiency trust fund.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 125, S.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.C.R. No. 125, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Arakaki, Chun and Kawakami.

SCRep. 1595 Energy and Environmental Protection on S.C.R. No. 117

The purpose of this concurrent resolution is to request the use of energy-efficient lighting in State building lighting fixtures.

Your Committee finds that the concept of utilizing energy-efficient lighting fixtures in State buildings has merit. Although many State buildings have already converted to efficient electricity systems, the Department of Business, Economic Development, and Tourism estimated that the State could reduce its annual electricity bill by \$16 million if all State facilities were equipped with such efficient lighting systems.

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 117, S.D.1: and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Hiraki, Takamine and Thielen.

SCRep. 1596 Energy and Environmental Protection on S.C.R. No. 120

The purpose of this concurrent resolution is to request that the Governor consider establishing a youth conservation corps program for the State of Hawaii.

Testimony in support of this measure was provided by several concerned citizens who pointed out that enlisting young people to participate in activities aimed at protecting and improving the environment, will instill a sense of obligation, responsibility, and pride in our young adults. Moreover, involving these young people will also help to educate their parents about various environmental concerns.

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 120 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Hiraki, Takamine and Thielen.

SCRep. 1597 Tourism and Legislative Management on S.C.R. No. 115

The purpose of this concurrent resolution is to request an audit of the Hawaii Visitors Bureau by the Legislative Auditor.

Your Committees received testimony from the Department of Business, Economic Development and Tourism, and the Hawaii Visitors Bureau.

Your Committees find that the upcoming change in the leadership of the Hawaii Visitors Bureau provides an excellent opportunity for a management and financial audit in order to give a clear mandate for the future direction of the bureau.

Your Committees find that the subject audit should include a complete management and financial audit. The audit should also include a look at coordination between the bureau, the Department of Business, Economic Development, and Tourism, and its advertising agency.

As affirmed by the records of votes of the members of your Committees on Tourism and Legislative Management that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 115 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Baker, Ishii-Morikami, Say and Souki.
(Representative Marumoto voted no.)

SCRep. 1598 Tourism on S.C.R. No. 259

The purpose of this concurrent resolution is to request the Department of Business, Economic Development, and Tourism to conduct a study of market potential and appropriate sites for a satellite convention facility on Maui.

Your Committee received testimony in support of this concurrent resolution from the Convention Park Council and Hawaii Hotel Association, and testimony from the Convention Center Authority.

Your Committee finds that the study should include but not be limited to the following:

1. The need for such a facility in West Hawaii;
2. Whether the proposed facility would compete with and adversely impact private entities;
3. Whether any existing facility could fulfill the need for a convention center;
4. The feasibility of utilizing a public/private venture to develop and/or operate the facility; and
5. The potential uses of the facility.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 259, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ishii-Morikami.

SCRep. 1599 Tourism on S.C.R. No. 91

The purpose of this concurrent resolution is to request the Department of Business, Economic Development, and Tourism to conduct a study of market potential and appropriate sites for a satellite convention facility in West Hawaii.

Your Committee received testimony in support of this concurrent resolution from the Convention Park Council and Hawaii Hotel Association, and testimony from the Convention Center Authority.

Your Committee finds that the study should include but not be limited to the following:

1. The need for such a facility in West Hawaii;
2. Whether the proposed facility would compete with and adversely impact private entities;
3. Whether any existing facility could fulfill the need for a convention center; and
4. The feasibility of utilizing a public/private venture to develop and/or operate the facility.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 91 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ishii-Morikami.

SCRep. 1600 Tourism on S.C.R. No. 135

The purpose of this concurrent resolution is to urge the Department of Business, Economic Development, and Tourism and the Hawaii Visitors Bureau to explore alternative marketing strategies to attract greater honeymoon travel to Hawaii.

Your Committee received testimony in support of this concurrent resolution from the Department of Business, Economic Development and Tourism, the Hawaii Visitors Bureau, 3M Pattis, Honex International, Waikiki Joy Hotel, Waikiki Beach Activities, Deepstar Ltd., Advertising Management Inc., Village Resorts, Royal Hawaiian Shopping Center, Travel Sales Ltd., Outrigger Hotels Hawaii, Jack T. Lance and Associates, Keauhou Visitors Association, Starr-Seigle-McCombs Inc., Maui Marriott, Ocean's Marketing, Laird McNeil Wilson Advertising, Colony Hotels and Resorts, and the Hawaii Hotel Association.

Your Committee finds that, despite our strong position in the honeymoon market, the competition in this segment has greatly intensified in recent years and other destinations have increased their market shares, as they realize the great economic benefits from the favorable spending patterns of honeymooners. Honeymoon visitors also tend to become repeat visitors.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 135 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ishii-Morikami.

SCRep. 1601 Tourism on S.C.R. No. 84

The purpose of this concurrent resolution is to request the Department of Business, Economic Development, and Tourism to coordinate visitor industry activities and promotions with the state information network.

Your Committee received testimony in support of this concurrent resolution from the Department of Business, Economic Development and Tourism, and the Hawaii Information Network Corporation.

Your Committee finds that the state information network would serve as a fast, effective means for the distribution of information relating to promotions and other aspects of the visitor industry to interested parties on an international as well as a statewide scale.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 84 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ishii-Morikami.

SCRep. 1602 Human Services on S.C.R. No. 191

The purpose of this concurrent resolution is to request the Governor's Office of Children and Youth in consultation with the Hawaii Community Foundation and the Hawaii Business Roundtable, to undertake a study on the early childhood education and care finance implementation initiative.

Testimony from the Office of Children and Youth and the Hawaii Business Roundtable was received in support of this measure.

Your Committee finds that national statistics reveal that considerable resources are saved in remediation costs when young children have the benefit of quality early childhood education and care programs. In spite of its critical impact on Hawaii's families and the economy, initial examination of the existing Early Childhood System reveals great fragmentation in the delivery of services, and lack of coordination among early childhood agencies and programs throughout the state. This lack of integration has created inconsistency in the quality of available services, and an inadequate supply of Early Education/Care services to meet the needs of all of Hawaii's families with children aged five years or less.

Upon further consideration, your Committee has amended this measure by:

- (1) inserting the following:

"WHEREAS, an advisory committee consisting of representatives of the Office of Children and Youth, the Hawaii Community Foundation, Castle and Cooke Properties, Inc., the Department of Human Services, Kamehameha Schools/Bishop Estates, Tax Foundation of Hawaii, Campbell Estates, University of Hawaii, Bank of Hawaii, American Trust, the Hawaii Association for the Education of Young Children, Department of Education, the Legislature, and the Office of the Governor has been working in partnership to address the issue of early childhood education"; and

- (2) making technical, non-substantive changes for the purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 191 as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.C.R. No. 191, H.D. 1.

Signed by all members of the Committee except Representatives Duldulao, Peters and Santiago.

SCRep. 1603 Human Services on S.C.R. No. 102

The purpose of this concurrent resolution is to urge the United States Congress to enact legislation that would eliminate inequities in the payment of social security benefits that are based on the year that a person initially becomes eligible for such benefits.

Testimony from the Kokua Council for Senior Citizens was received in support of this concurrent resolution.

Your Committee finds that persons born between 1917 and 1926, commonly referred to as "notch babies", receive lower social security benefits than persons born before 1917. The payment of benefits under the social security system is not based on need or other considerations related to welfare. Rather, it is based on a program of insurance based on contributions by persons and their respective employers. The Social Security Trust Fund has adequate reserves to solve this problem without reducing the benefits of persons who were born before 1917. Thus, your Committee believes that the provisions of this measure will work to eliminate this discriminating inequity, as well as ensure that federal social security benefits are provided in a fair and just manner.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 102 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Duldulao, Peters and Santiago.

SCRep. 1604 Human Services on S.C.R. No. 207

The purpose of this concurrent resolution is to request the Executive Office on Aging, in conjunction with the Department of Human Services and the Department of Health, to work with the adult day care and adult day health community towards the implementation of the findings, recommendations, and policies contained in the document, "A Strategic Plan for Adult Day Centers in Hawaii".

Testimony from the Adult Day Centers Hawaii, Inc. was received in support of this measure. The Department of Human Services testified that they would cooperate with the Executive Office on Aging, the Department of Health, and the adult day care and adult day health programs in working towards implementing the findings and recommendations of the study.

Your Committee finds that "The Strategic Plan for Adult Day Centers in Hawaii", developed as a collaborative effort between the Executive Office on Aging and professionals from various industries, including adult day care and adult day health, should serve as a blueprint for action for the adult day center industry to meet the future long term care needs of the people of Hawaii. This report examines and provides a vision for addressing the needs of the industry in the areas of financing, consumer education, workforce development, consumer satisfaction, infrastructure development, and quality assurance. Adult day care centers have proven to be an extremely cost effective option to institutional care. These centers provide (1) a safe, supportive environment for the elderly while family members work, or take a break from the constant pressures of caregiving; (2) daily health care such as bathing, grooming, nursing intervention, restorative therapy, and nutritious meals; and (3) socialization, recreation, exercise, education, and outings, at an approximate cost of \$25 - \$35 per day. The average cost of institutional care in Hawaii is approximately \$125 per day.

Upon further consideration, your Committee has amended this concurrent resolution by:

- (1) adding "and adult day health" after all appropriate occurrences of "adult day care"; and
- (2) adding a new section that reads as follows:

"BE IT FURTHER RESOLVED that, as part of the implementation plan, the Executive Office on Aging, in conjunction with the Department of Human Services and the Department of Health, also identify possible medicaid waivers and other federal reimbursement programs for which the adult day care and adult day health facilities may qualify; and".

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 207, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.C.R. No. 207, H.D. 1.

Signed by all members of the Committee except Representatives Duldulao, Peters and Santiago.

SCRep. 1605 Judiciary on S.C.R. No. 169

The purpose of this concurrent resolution is to provide for a study on the ramifications of authorizing a "guilty but mentally ill" verdict under the Hawaii Penal Code.

Your Committee received testimony in support of the measure from representatives of the Department of Public Safety, the Department of Health, the Office of the Prosecuting Attorney of the City and County of Honolulu and the Mental Health Association.

Your Committee finds that the scope of the study as proposed is too narrow, as it addresses simply one proposal for dealing with persons who are accused of criminal acts but who are also mentally ill. Your Committee believes that the study should be broadened to explore other avenues for dealing with such persons while providing for the protection of the community.

Therefore, your Committee has amended the bill by including a representative of the psychiatric community in the study and by broadening the scope of the study to include exploration of other alternative procedures for dealing with the mentally ill who are accused of criminal acts.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 169, 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. 169, H.D. 1.

Signed by all members of the Committee except Representatives Bainum, Herkes, Hirono, Menor, Oshiro and Peters.

SCRep. 1606 Judiciary on S.C.R. No. 239

The purpose of this concurrent resolution is to urge a Memorandum of Agreement between the Department of Public Safety, the Department of Transportation and the Department of Land and Natural Resources with regard to law enforcement responsibilities involving boating, coastal recreation areas and harbors.

Your Committee received favorable testimony on the measure from the Department of Public Safety, the Department of Transportation and the Department of Land and Natural Resources.

Your Committee finds a need for better communication and coordination of enforcement activities in the administration of boat harbors and the enforcement of boating laws and rules between the various departments that are concerned with these matters. The concurrent resolution appropriately urges the affected agencies to create a Memorandum of Agreement clarifying, delineating and coordinating their respective functions.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 239, S.D. 1 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Bainum, Herkes, Hirono, Menor, Oshiro and Peters.

SCRep. 1607 Judiciary on S.C.R. No. 166

The purpose of this concurrent resolution is to establish a Domestic Violence Coordinating Council to examine the causes of the existing jury trial backlog for domestic violence cases and to determine the adverse impact of this backlog on the victims of domestic violence.

The Judiciary and the Hawaii Commission on the Status of Women testified in support of this matter.

Your Committee has amended this concurrent resolution as follows:

1. In the next to last paragraph of the concurrent resolution, your Committee added the word "assure" after the word "help" in order to clarify the language of the concurrent resolution;
2. In the last paragraph of the concurrent resolution, your Committee resolved that certified copies of the concurrent resolution be transmitted to the Commission on the Status of Women and to the Center for Alternative Dispute Resolution. Since the Center is to act as a facilitator for the council meetings, your Committee felt that the Center should have notice of this concurrent resolution; and
3. Made technical non-substantive changes for the purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 166, S.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.C.R. 166, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Bainum, Herkes, Hirono, Menor, Oshiro and Peters.

SCRep. 1608 Judiciary on S.C.R. No. 206

The purpose of this concurrent resolution is to urge the United States State Department to expedite the process of verifying that Filipino veterans, who are naturalized American citizens and who have applied for social security benefits, do not own property in the Philippines, so that they may qualify for benefits in the United States.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 206, S.D. 1 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Bainum, Herkes, Hirono, Menor, Oshiro and Peters.

SCRep. 1609 Judiciary on S.C.R. No. 32

The purpose of this concurrent resolution is to request that the Department of the Attorney General and the Child Support Enforcement Agency (CSEA) report to the Legislature by October 31, 1993 on the progress made by CSEA with regards to the recommendations made by the Legislative Auditor in both the "Management Audit of the Child Support Enforcement Agency" and the "Financial Audit of the Department of the Attorney General".

The Legislative Auditor recently concluded that the financial management of CSEA was so weak that CSEA does not know how much money it has, how much is collected, and how much is disbursed. Often, the client accounts are inaccurate. Moreover, CSEA has serious problems in processing and managing cases on an efficient and timely basis. The request for a progress report would ensure that Hawaii's children are receiving the financial support in which they are entitled to.

Testimony in support of this measure the Department of the Attorney General.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 32 and recommends its adoption.

Signed by all members of the Committee except Representatives Bainum, Herkes, Hirono, Menor, Oshiro and Peters.

SCRep. 1610 Judiciary on S.C.R. No. 10

The purpose of this concurrent resolution is to encourage the Governor, county mayors, and councils to set goals to eliminate gender imbalance on all boards and commissions.

Testimony in support of this measure was submitted by the Commission on the Status of Women.

Upon consideration, your Committee has amended this measure by deleting the reference that this measure was drafted in response to a resolution adopted at the 1992 State Democratic Convention.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 10, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 10, H.D. 1.

Signed by all members of the Committee except Representatives Bainum, Herkes, Hirono, Menor, Oshiro and Peters.

SCRep. 1611 Human Services on S.C.R. No. 252

The purposes of this concurrent resolution are to:

- (1) Urge all State departments to review their service delivery programs to ensure the inclusion of all qualified limited English and non-English speaking clients in their service programs; and
- (2) Request each department or agency which offers services generally available to the public to submit a report on its progress in complying with both the spirit and intent of this concurrent resolution.

Testimony from the Department of Health was received in support of this measure.

Your Committee finds that services provided by State departments and agencies are impeded by a person's inability to speak English, and that the State must direct its resources to address this problem. Your Committees believe that this concurrent resolution encourages State departments and agencies to evaluate and resolve any deficiencies on their own.

Upon further consideration, your committee has amended this measure by:

- (1) adding the following language:

"BE IT FURTHER RESOLVED that immigrant service agencies receiving funding from the State of Hawaii are strongly urged to communicate with the affected state agency to devise procedures for bringing to the attention of the agency, any specific cases of lack in service by it to persons with limited English fluency."; and
- (2) adding the following language:

"BE IT FURTHER RESOLVED that immigrant service agencies receiving funding from the State of Hawaii are strongly urged to communicate with the affected state agency to develop plans to collaborate with the agency in providing services to immigrants at the immigrant services agencies' facilities, including for example distribution of information, referral to health services, cooperation in immunization initiatives and hepatitis B testing and vaccination, and referral for tuberculosis testing."

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 252, S.D. 1 as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.C.R. No. 252, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Duldulao, Peters and Santiago.

SCRep. 1612 Health and Human Services on S.C.R. No. 124

The purpose of this concurrent resolution is to request the Department of Health and the Department of Human Services to submit a progress report on the implementation of the Waimano Training School and Hospital Study recommendations. It further requests that the Department of Health, in cooperation with the State Developmental Disabilities Council, report on steps to revamp the State's financing system for community services.

Testimonies in strong support of this concurrent resolution were received from the State Planning Council on Developmental Disabilities and the Commission on Persons with Disabilities.

The Department of Health and the Department of Human Services are opposed to this concurrent resolution because it was felt that these departments were already committed to maximizing federal matching funds and will continue efforts to obtain federal funds. It was also felt that the Waimano Training School and Hospital Study was not completely accurate and that some of the recommendations made by the report are currently being implemented within the Department of Health.

It was further noted by your Committees that since 1985, 11 studies were completed on the Waimano Training School and Hospital and the State's developmental disabilities system. It was also noted that these studies made consistent recommendations on how to provide quality services in the most economical way.

Your Committees took note, however, that implementation of the recommendations has been inconsistent and sporadic and has been compounded by radical changes in the way many other states view and fund services for persons with developmental disabilities.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 124, and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Ihara, Kawakami, Peters and Santiago.

SCRep. 1613 Health on S.C.R. No. 92

The purpose of this concurrent resolution is to request the Department of Health to study community needs and desires relating to the Kohala Hospital.

Your Committee received testimony in support of this concurrent resolution from the Department of Health although they felt that present on-going work on a five year plan, which will be ready for the 1994 Legislature, would answer most, if not all of the questions raised by this concurrent resolution.

It was noted by your Committee that the Department may study areas including physician/patient rotation, adult day health services, lease of the hospital to a major health care system, free medical student tuitions in exchange for dedicated service, rotation of medical residents into the hospital, establishment of relationships with university medical programs, and maximization of private funding. The Department would submit a report to the 1994 Legislature

It was further noted by your Committee that Kohala Hospital's clientele is mostly elderly patients and future use will likely be primarily for long-term care. In anticipation of these needs, every effort should be made to enhance patient care.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 92, S.D. 1 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 1614 Health on S.C.R. No. 152

The purpose of this concurrent resolution is to request the House and Senate Health Committees to establish an ad hoc task force to discuss and explore concerns relating to non-ionizing electromagnetic radiation.

Testimonies in support of this concurrent resolution were received from the Department of Health, Hawaiian Electric Company, Inc., the Department of Commerce and Consumer Affairs and the general public.

It was noted by your Committee that at present there are no comprehensive or conclusive studies on the effects of electromagnetic radiation on humans.

In view of the aforementioned, your Committee finds that an inquiry of the kind proposed by this concurrent resolution is necessary to appropriately address public concerns relating to the potentially harmful effects of non-ionizing electromagnetic radiation.

Your Committee has amended this concurrent resolution by requesting the Senate and House Committees on Health to establish the task force rather than the Department of Health thereby reducing the the number of task forces that clutter the Department.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 152, S.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.C.R. No. 152, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 1615 Health on S.C.R. No. 85

The purpose of this concurrent resolution is to request the Department of Health to implement the recommendations set forth in the report entitled, "The Future of the Child and Adolescent Mental Health System in Hawai'i."

More specifically, the concurrent resolution requests, among other things, that the Department of Health accomplish the following by certain specified deadlines:

- (1) Coordinate the identification and assessment of every severely emotionally and behaviorally disturbed child and adolescent who is the responsibility of the State;
- (2) Coordinate a comprehensive State effort to identify funds for children and adolescents requiring mental health services;

- (3) Implement a comprehensive data collection system for mental health planning purposes;
- (4) Formulate a plan for the integration of services to children and adolescents with dual diagnoses; and
- (5) Develop procedures for ongoing assessment and planning to monitor the effectiveness of the statewide children and adolescent mental health system.

The concurrent resolution also calls for public-private partnerships to provide mental health services currently provided by the Department of Health. Additionally, the concurrent resolution requests interagency cooperation to integrate services and resources in this area, and the drawing up of necessary memoranda of agreement therefor.

Testimony in support of the intent of this resolution was submitted by the Department of Health, the Mental Health Association in Hawaii, the State Advisory Council on Mental Health and Substance Abuse, the Commission on Persons with Disabilities, and the Department of Education.

Your Committee recognized that the Child and Adolescent Mental Health Division has made little headway over the years in providing appropriate and needed support to children with serious emotional disturbances and to the families of these children.

It was further recognized by your Committee that the strength of this resolution is that it addresses the development and implementation of a system of services from a very comprehensive approach, addressing all the issues that must be dealt with as opposed to the very fragmented approach of recent years. The resolution also provides for the implementation of tasks to address these issues within a certain time frame.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 85, S.D. 1 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 1616 Health on S.C.R. No. 58

The purpose of this concurrent resolution is to request the Department of Health to establish a formula for adjusting the fee for emergency ambulance service with collections equal to fifty percent of the direct ambulance service cost.

Testimony in support of this concurrent resolution was received from the Department of Health.

Your Committee understands that the billing and collection of fees for emergency ambulance services is complex and requires a retrospective process to obtain the necessary information to bill patients and submit health insurance claims for reimbursement.

It was noted by your Committee that billing statements are presently completed by ambulance personnel. Ideally, these statements would contain all the necessary information needed for proper billing. It was noted by your Committee, however, that this is not always possible in an emergency situation.

Your Committee, therefore, felt that establishing a formula for adjusting ambulance service fees would make the present system more efficient and would benefit the community.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 58 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 1617 Agriculture on S.C.R. No. 232

The purpose of this concurrent resolution is to request the Department of Agriculture (DOA) to amend the visiting hours at the animal quarantine station.

In addition, this concurrent resolution also requests DOA to give special consideration toward extending the visiting hours at the animal quarantine station so that pet owners can visit their pets until sunset at least one day a week.

Your Committee finds that this measure will provide pet owners with greater access to their pets while in quarantine by enhancing the visiting hours at the animal quarantine station.

Your Committee received testimony in strong support of this measure from the Animal Quarantine Advisory Board and Citizens for Quality Quarantine. Supporting testimony was also received from the Hawaiian Humane Society and several concerned citizens.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 232 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ishii-Morikami and Tam.

SCRep. 1618 Agriculture on S.C.R. No. 145

The purposes of this concurrent resolution are to request the Department of Land and Natural Resources (DLNR) to:

- (1) Conduct a comprehensive industry survey to determine the constraints and alternative solutions to expanded aquaculture development, including an assessment of the impediments associated with federal, state, and county laws and regulations and their impact on the economics of production in the Hawaii business environment;
- (2) Formulate a long-range Hawaii development strategy that:
 - (a) Documents the major global trends driving aquaculture expansion;
 - (b) Identifies opportunities for growth; and
 - (c) Guides development efforts to the year 2000;
- (3) Formulate a three-year initial implementation plan; and
- (4) Submit a report to the Legislature no later than 20 days before the convening of the 1994 Regular Session.

Your Committee received testimony in strong support of this measure from DLNR, the College of Tropical Agriculture and Human Resources at the University of Hawaii at Manoa, and the Hawaii Aquaculture Company, Inc.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 145, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ishii-Morikami and Tam.

SCRep. 1619 Economic Development and Business Concerns and Intergovernmental Relations and International Affairs on S.C.R. No. 93

The purpose of this concurrent resolution is to request the formation of an Economic Conversion Task Force to create contingency plans for state defense to civilian economic conversion to manage the shift from defense-related to civilian economic activity resulting from the recently announced downsizing of the military in Hawaii.

Among other things, this concurrent resolution requests the Economic Conversion Task Force to:

- (1) Recommend the terms and conditions of a plan for economic conversion;
- (2) Hold at least one community forum in each county to solicit suggestions before drafting a preliminary plan; and
- (3) Hold additional forums for public comment before drafting a final plan.

Your Committees received testimony in support of this concurrent resolution from the Department of Business, Economic Development, and Tourism (DBEDT) and a professor of Maui Community College's Economics Department. In its testimony, DBEDT indicated that it has been monitoring the defense industry and has compiled much of the information sought in the concurrent resolution. DBEDT has also been working with other state agencies on a subcabinet task force to help resolve issues of importance to the military and the community, and has been tracking policy changes and initiatives at the federal and state levels.

As affirmed by the records of votes of the members of your Committees on Economic Development and Business Concerns and Intergovernmental Relations and International Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 93, S.D. 1, and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Hagino, M. Ige, Shon, Tam and Marumoto.

SCRep. 1620 Economic Development and Business Concerns on S.C.R. No. 155

The purpose of this concurrent resolution is to request the Office of State Planning (OSP), in cooperation with the Department of Business, Economic Development, and Tourism (DBEDT) and the Hawaii Community Development Authority, to study the feasibility and need for a rural development agency to address the economic development and redevelopment needs of depressed rural areas of the State.

In addition, this concurrent resolution requests OSP to submit a report of the findings and recommendations, and draft legislation, if appropriate, to the Legislature no later than 20 days before the convening of the 1994 Regular Session.

In its discussion, your Committee indicated that as part of efforts to revitalize rural communities within the State, particularly economically depressed rural areas, a rural development corporation might be considered as part of the counties' jurisdiction.

Your Committee received written comments on this concurrent resolution from DBEDT, which testified that it would be willing to work with OSP, should the Legislature find that a study is necessary.

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 155, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cachola, M. Ige and Tam.

SCRep. 1621 Health on S.C.R. No. 52

The purpose of this concurrent resolution is to fulfill statutory reporting requirements pertaining to the establishment of mandatory health insurance coverages. Specifically, this concurrent resolution, as received, would:

- (1) Request the Auditor to conduct an assessment of the social and financial impacts of establishing mandatory health insurance coverage for temporomandibular disorder (TMD) services; and
- (2) Instruct the Auditor to submit findings and recommendations in the form specified under Section 23-52, Hawaii Revised Statutes, prior to the convening of the Regular Session of 1994.

Upon careful consideration, your Committee has amended this concurrent resolution by:

- (1) Requesting the Auditor to conduct an analysis of the impacts that would result if optimal coverage for TMD services were mandated by the State;
- (2) Instructing the Auditor to consult with representatives from the Hawaii Medical Service Association, the Hawaii Federation of Physicians and Dentists, HDS-Medical, the Hawaii Dental Association, and the Hawaii Society of Oral Maxillofacial Surgeons during the course of the foregoing study;
- (3) Revising the title to read as follows:

"SENATE CONCURRENT RESOLUTION REQUESTING AN ASSESSMENT REGARDING
OPTIMAL INSURANCE COVERAGE FOR TEMPOROMANDIBULAR DISORDERS SERVICES";
and
- (4) Making technical, nonsubstantive revisions for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 52, 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. 52, H.D. 1.

Signed by all members of the Committee except Representatives Arakaki and Kawakami.

SCRep. 1622 Health on S.C.R. No. 123

The purpose of this concurrent resolution is to request the legislative reference bureau to study the feasibility of requiring community rating of all small group health insurers in Hawaii.

Testimonies in strong support of this concurrent resolution was received from the Department of Health and HMSA.

Community rating is the practice of grouping an entire community of groups seeking insurance together, so that the costs for coverage are spread over a large group and insurance premiums are kept affordable for all. Historically, Hawaii's large insurers have practiced community for rating for small employers. However, these large insurers have begun to modify their community rating practices and the department of health has expressed concern that this trend may result in Hawaii experiencing the problems of availability and affordability of small group coverage that are currently affecting the rest of the nation.

Your Committee felt that a study must be performed in order to help the Legislature decide whether this community rating system should be made mandatory.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 123, S.D. 1 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Arakaki and Kawakami.

SCRep. 1623 Health on S.C.R. No. 8

The purpose of this concurrent resolution is to request the Auditor to study the financial and social impacts of requiring health insurance policies to include contraceptive services.

Testimony received from the Department of Health supports this concurrent resolution.

Your Committee recognized the need to address reimbursement in the cases of contraceptive services. Your Committee further noted that widespread availability of contraceptive services, family planning and preventive health care could have a positive effect on reducing socio-economic disruptions both in the lives of individuals and on our public health delivery system.

The Legislative Auditor did not support this concurrent resolution because of an interpretation of Part IV, Chapter 23, Hawaii Revised Statutes which required both a concurrent resolution and a bill that explicates mandated coverage necessary to trigger any assessment of impact. Since no bill was passed, the Legislative Auditor was unable to support the concurrent resolution in its present form.

HMSA also did not support the concurrent resolution because it was felt that they already provided such coverage. However, they were willing to cooperate with any study by the Legislative Auditor.

After further consideration, your Committee has amended this concurrent resolution by removing the term "mandated option" and by changing wording to make the above services available to all subscribers rather than only individual subscribers.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 8, S.D. 1, 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. 8, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Arakaki and Kawakami.

SCRep. 1624 Water and Land Use Planning and Transportation on S.C.R. No. 42

The purpose of this concurrent resolution is to authorize the Department of Transportation to issue a 65-year lease for the private development of multi-level warehouse/distribution facilities and a container terminal and pier on certain fast and submerged lands within the Kapalama development complex.

The Department of Transportation stated in its supporting testimony that this concurrent resolution will allow the department to negotiate and award the Kapalama Development Project to a private developer for a term of 65 years.

As affirmed by the records of votes of the members of your Committees on Water and Land Use Planning and Transportation that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 42 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Bainum, Hagino, Kanoho and Thielen.

SCRep. 1625 Water and Land Use Planning on S.C.R. No. 200

The purpose of this concurrent resolution is to request the County of Hawaii to exercise good faith in estimating the deposit for pre-adjudication possession of land for the Alenaio stream flood control project.

Your Committee received favorable testimony from Char Sakamoto Ishii and Lum, Attorneys at Law.

In testimony, the representative from Char Sakamoto Ishii and Lum stated that in anticipation of State appropriation, the Hawaii County Council passed a bill advancing county funds to make a deposit in court based on tax-assessed value of vacant land for immediate possession of the land being condemned for the project. Your Committee finds that if such a deposit is made, landowners may be displaced and precluded from finding comparable homes since the deposit fails to take into account the fair market value of the improved property or to take into account the loss of rental income.

Therefore, this concurrent resolution would promote equity by requesting the County of Hawaii to use the appraised value in estimating the amount to which owners of land being condemned for the project would be entitled to upon condemnation and shall deposit an amount equal to or greater than the appraised value with the court.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 200, S.D. 1 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Bainum, Nekoba and Thielen.

SCRep. 1626 Water and Land Use Planning on S.C.R. No. 187

The purpose of this concurrent resolution is to affirm the Legislature's commitment to the restoration and re-dedication of the Waikiki War Memorial Natatorium as a "Living Memorial" in order to:

- (1) Recognize and validate the unique achievements of our past;

- (2) Honor the commitments made in perpetuity by the Territorial Legislature in 1921;
- (3) Commemorate the memories of the sons and daughters who gave their lives in defense of Hawaii's values; and
- (4) Inspire those who will contribute to Hawaii in the future through their achievements in the community, government, the military, or through physical fitness and athletic endeavors.

Your Committee received supporting testimony on this concurrent resolution from the Department of Land and Natural Resources, the chair of the Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board 5, a representative from the Coalition to Restore the Natatorium, the Office of Veterans Services, Department of Defense, two members of the Friends of the Natatorium, and one interested individual.

Your Committee appreciates the eloquent testimony by a member of the Friends of the Natatorium who recalled not only the glory years of the Natatorium but also the less well-known activities that went on within this historical structure. This testimony provided the members with a deeper appreciation of the different ways that the Natatorium has touched the lives of so many people.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 187 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Bainum, Nekoba and Thielen.

SCRep. 1627 Water and Land Use Planning on S.C.R. No. 257

The purpose of this concurrent resolution is to request that the State Land Use Commission (LUC) fully consider the environmental and social impacts of further development in Aina Koa Valley in East Honolulu as well as the suitability of reclassifying conservation lands to urban use.

Four members of the Aina Koa Community Association testified that there is a petition before the LUC to redistrict 8.74 acres of conservation land in the valley. If approved, the land would be subdivided and eventually could accommodate 52 homes. The Aina Koa residents want the LUC to fully consider the community's concerns, especially with regard to:

- (1) Safety concerns - increased runoff from the site could result in flooding homes along the lower drainage channel;
- (2) Feasibility of the project - approximately 585 acres of urban land are already available for residential use elsewhere in the East Honolulu area; and
- (3) Impacts on the community - the existing soil movement problem will increase as a result of this construction work; in addition, tax assessments, traffic, noise, and dust may also increase in the valley as a result of this project.

The LUC had no objections to this concurrent resolution and indicated that it will weigh all of the concerns raised by interested parties and review the entire record of the proceedings before making its decision.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 257, S.D. 1 and recommends its adoption.

Signed by all members of the Committee except Representatives Bainum, Nekoba and Thielen.

SCRep. 1628 Economic Development and Business Concerns on S.C.R. No. 107

The purpose of this concurrent resolution is to support efforts for Hawaii to become a role model and leader in the utilization and exportation of alternative, sustainable energy systems, products, and technologies by:

- (1) Urging all state and federal agencies, companies, businesses, and research programs to develop and utilize all forms of alternative, sustainable resources in an economically feasible manner; and export these technologies, products, and information to our Pacific Island neighbors;
- (2) Endorsing the efforts of the Pacific Business Center in identifying alternative sustainable energy resources and related business opportunities in the Pacific Islands; and
- (3) Encouraging other organizations to undertake similar activities that will assist our Pacific Island neighbors.

Favorable testimony on this concurrent resolution was submitted by the Department of Business, Economic Development, and Tourism and the Pacific Business Center Program.

Your Committee finds that Hawaii has great potential to play a major role in transferring renewable energy technologies throughout the Pacific region. Being an island, we are energy interdependent and thus, acutely aware that we are members of a global economy.

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 107 and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola, M. Ige and Tam.

SCRep. 1629 Economic Development and Business Concerns on S.C.R. No. 9

The purpose of this concurrent resolution is to support the DELTA-HAWAII project proposal and its submission to the National Telecommunications and Information Administration.

Favorable testimony was submitted by the State Department of Budget and Finance, Hawaii Information Network Corporation, and Hawaii Public Broadcasting Authority.

Your Committee finds that DELTA-HAWAII is a definite step toward building Hawaii's distance learning programs and Hawaii's future in education. DELTA-HAWAII promotes collaborative efforts and human network development within state agencies involved with distance learning technologies. The DELTA-HAWAII project also enhances service delivery to areas that are not receiving coverage and expands programming.

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 9 and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola, M. Ige and Tam.

SCRep. 1630 Agriculture on S.C.R. No. 192

The purpose of this concurrent resolution, as received by your Committee, is to request the Department of Agriculture (DOA) to conduct a feasibility study on the development of a multiple-use sustainable community that will integrate agricultural and residential uses to emphasize energy conservation, food self-sufficiency, and ecological stability.

Upon further consideration, however, your Committee has amended this concurrent resolution by deleting its substance and inserting new material, the purpose of which is to urge the United States government to correct the serious threat to Hawaii's agricultural industries posed by the North American Free Trade Agreement (NAFTA). Specifically, this measure:

- (1) States the Legislature's support for President Clinton's efforts to negotiate protocol agreement to NAFTA to remedy the serious shortcomings concerning environmental, labor, and import surge regulations; and
- (2) Urges the Clinton Administration to recognize and to correct the inequitable and flawed nature of the current agreement that grants unfair marketing and regulatory advantages to Mexican sugar and diversified agriculture producers.

Accordingly, your Committee has also amended this measure by changing the above-mentioned title: "REQUESTING A FEASIBILITY STUDY ON THE DEVELOPMENT OF A MULTIPLE-USE SUSTAINABLE COMMUNITY" to read: "URGING THE UNITED STATES GOVERNMENT TO CORRECT THE SERIOUS THREAT TO HAWAII'S AGRICULTURAL INDUSTRIES POSED BY THE NORTH AMERICAN FREE TRADE AGREEMENT".

Your Committee finds that NAFTA, as currently written, provides little safeguard against the flooding of the U.S. domestic and world markets in future years from the export of Mexico's entire sugar crop surplus. This would place Hawaii's farmers and growers at unfair disadvantage from Mexico and would have a debilitating effect on Hawaii's sugar, diversified agricultural, and tourism industries.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 192, as amended herein, and recommends that it be adopted in the form attached hereto as S.C.R. No. 192, H.D. 1.

Signed by all members of the Committee except Representatives Ishii-Morikami and Tam.

SCRep. 1631 Agriculture on S.C.R. No. 98

The purpose of this concurrent resolution is to urge all state departments, particularly the Department of Education and the Department of Public Safety, to maximize the use of agricultural products grown or processed in the State in operations requiring the preparation of food.

Your Committee received testimony in support of the intent of this measure from the Department of Agriculture (DOA). In its testimony, DOA indicated that it has been working with and supporting Hawaii's agricultural industry to increase the usage of local products through various avenues, such as the state School Lunch Program and through military exchanges.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 98 and recommends its adoption.

Signed by all members of the Committee except Representatives Ishii-Morikami and Tam.

SCRep. 1632 Ocean Recreation and Marine Resources on S.C.R. No. 202

The purpose of this Senate concurrent resolution is to protect the ocean floor, especially coral reefs, from damage caused by improperly dropped anchors from commercial fishing and recreational vessels by expediting the installation, operation, and maintenance of a statewide system of day-use moorings.

Your Committee on Ocean Recreation and Marine Resources is aware that healthy reefs are important for commercial and recreational fishing, as well as for other activities such as snorkeling and scuba diving. Your Committee finds that coral reefs are being damaged and habitats for many species of reef fish are being destroyed by improperly dropped anchors from fishing and other vessels. Your Committee further finds that such damage and destruction could be prevented by installing day-use moorings.

Day-use moorings would consist of stainless steel eyebolts imbedded in the hard bottoms of reefs, or a Manta-Ray system with screw augers installed in the sandy bottoms of the ocean. Field tests have shown that the mooring devices, when adapted for conditions in Hawaii, eliminate damage from the dropping and dragging of anchors.

A general permit from the U.S. Army Corps of Engineers and a Conservation District Use Permit from the Board of Land and Natural Resources are being sought to allow the Division of Boating and Ocean Recreation to install day-use moorings for short-term uses such as fishing, diving, and snorkeling. Their approvals are the last steps needed before implementation can begin.

The Board of Land and Natural Resources is requested in this Senate concurrent resolution to:

- (1) Expedite the installation, operation, and maintenance of a statewide system of day-use moorings, especially in marine life conservation districts;
- (2) Expedite the issuance of a general permit for the installation of statewide day-use moorings, involving the ocean recreation industry and The Ocean Recreation Council of Hawaii;
- (3) Install day-use moorings statewide expeditiously; and
- (4) Present a progress report to the Legislature no later than twenty days prior to the convening of the Regular Session of 1994.

A copy of this concurrent resolution is to be transmitted to the Chairperson of the Board of Land and Natural Resources.

Supportive testimonies for carrying out the intent of this concurrent resolution are on file from the Department of Land and Natural Resources; the Sea Grant Extension Service, West Hawaii, School of Ocean and Earth Science and Technology; the University of Hawaii Sea Grant Extension Service, University of Hawaii, Manoa Campus; the Division of Boating and Ocean Recreation, DLNR; and the Ocean Recreation Council of Hawaii, (TORCH).

The Department of Land and Natural Resources, knowing that no monies have been appropriated for this project, has asked TORCH, with assistance from the Department of Business, Economic Development, and Tourism, to explore various means of creative financing to allow at least incremental installation of day-use moorings at sites most heavily used. TORCH expressed a willingness to sponsor fundraisers to help with the costs of installations.

As affirmed by the record of votes of the members of your Committee on Ocean Recreation and Marine Resources that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 202, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Amaral, Hirono and Tajiri.

SCRep. 1633 Water and Land Use Planning on S.C.R. No. 223

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources to establish an interim working group to develop State and County preservation procedures and extending the existence of the task force to preserve Waipio Valley.

Your Committee received testimony from the County Council, County of Hawaii; Waipio Taro Farmers Association; Bishop Museum; and the Department of Land and Natural Resources.

The Department of Land and Natural Resources testified that although they support reconvening the task force, the department has reservations when considering its current resources and staff limitations. Your Committee is sensitive to the lack of adequate financial and personnel resources within the department and realizes that it may have a bearing on the department's ability to carry out what is requested in this concurrent resolution.

Your Committee has amended this concurrent resolution to expand the membership of the task force to include a representative from the community of tour operators currently conducting tours in Waipio Valley.

The purpose of this concurrent resolution is to request Pacific Islanders in Communication and 'Olelo to assess television programming relating to the culture, history, and indigenous language of Hawaii especially in the following areas:

- (1) Current available cable and television programming;
- (2) Interest in developing television programming;
- (3) Resources available for developing programming; and
- (4) Available distribution options.

Your Committee finds that it is in the public interest to provide an accessible media from which people can learn and appreciate Hawaiian culture, history, and language. It is the hope of this Committee that Hawaiian television programming be developed and made available to the general public in the near future.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.C.R. No. 59, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Arakaki and D. Ige.

SCRep. 1638 Hawaiian Affairs on S.C.R. No. 100

The purpose of this concurrent resolution is to urge the United States President and Congress to explore how federal lands no longer needed for military and other purposes can be used to compensate the Hawaiian Home Lands Trust for illegal takings and uses of trust lands.

Testimony in support of this measure was submitted by the Department of Hawaiian Home Lands (DHHL). DHHL cited grave instances in which trust lands were illegally taken by the United States military without compensation. For example, the Trust has lost approximately 1,497 acres of lands at Lualualei on the island of Oahu.

Your Committee finds that the federal government needs to place a higher priority on providing remedies to make the Hawaiian Home Lands Trust whole. Your Committee believes that this measure offers one option which should be explored.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.C.R. No. 100, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Arakaki, D. Ige and O'Kieffe.

SCRep. 1639 Economic Development and Business Concerns and Consumer Protection and Commerce on S.C.R. No. 81

The purpose of this concurrent resolution, as received by your Committees, is to request the Public Utilities Commission (PUC) to open a docket to investigate alternative mechanisms for the delivery of telecommunications services in Hawaii, including whether:

- (1) The State should purchase GTE Hawaiian Tel and operate it as a state authority for telephone and telecommunications; and
- (2) The telephone or telecommunication services of GTE Hawaiian Tel should be franchised out to a private corporation, profit or non-profit.

Your Committees find that supporting the emergence of a first-rate telecommunications industry is vital to the economic well-being of the State. In support of this effort, your Committees recognize that it is important to foster sustained competition in telecommunications that facilitates and supports a greater range and quality of services at affordable rates to consumers, while promoting universal service.

Upon careful consideration, your Committees have amended this concurrent resolution by deleting its substance and inserting new material, the purpose of which is to request the PUC to:

- (1) Follow certain legislative directives in establishing an infrastructure docket on telecommunications; and
- (2) Develop a comprehensive telecommunications plan for the State.

Accordingly, your Committees have amended the above-mentioned title: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO INVESTIGATE ALTERNATIVE MECHANISMS FOR THE DELIVERY OF TELECOMMUNICATIONS SERVICES IN HAWAII" to read: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO FOLLOW CERTAIN DIRECTIVES OF THE LEGISLATURE IN ESTABLISHING AN INFRASTRUCTURE DOCKET ON TELECOMMUNICATIONS, AND TO DEVELOP A COMPREHENSIVE TELECOMMUNICATIONS PLAN FOR THE STATE".

As affirmed by the records of votes of the members of your Committees on Economic Development and Business Concerns and Consumer Protection and Commerce that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 81, S.D. 1, as amended herein, and recommend that it be adopted in the form attached hereto as S.C.R. No. 81, S.D. 1, H.D. 1.

Signed by all members of the Committees except Representatives Cachola, Hiraki, Hirono, M. Ige, Oshiro and Tam.

SCRep. 1640 Finance on S.C.R. No. 42

The purpose of this concurrent resolution is to authorize the Department of Transportation to issue a sixty-five year lease, by negotiation and without recourse to public auction, to a private developer for fast and submerged lands within the Kapalama Development Complex for the development of multi-level warehouse/distribution facilities and a container terminal and pier pursuant to sections 171-36 and 171-60, Hawaii Revised Statutes.

The Department of Transportation testified in support of this measure.

Your Committee believes that in order to understand the full impact of this development on the community, there is a need to include organizations such as the Kalihi/Palama Community Association, the Kalihi Neighborhood Board, Palama Neighborhood Board and the Kapalama Neighborhood in the planning process.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.C.R. No. 42 and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho, Morihara and Tajiri.